

FILING INSTRUCTIONS

RELEASE No. 32 (2009-2)

LOOSE-LEAF REGULATIONS OF SASKATCHEWAN (FOREST GREEN BINDERS)

(Consolidated To May 31, 2009)

To the Filer: Please keep in mind that the Regulations are filed alphabetically by chapter (Act), then by regulation title; remember to consult the Table of Contents pages to keep track of the order in which the regulations are filed in each volume. If you run into any difficulties, please stop filing and call the Office of the Queen's Printer at (306) 787-9062 for assistance.

Follow the filing instructions provided and continue to discard and/or add regulations and corresponding Tabs, beginning with Volume 1 and continuing through to Volume 11, one volume at a time. KEEP THESE FILING INSTRUCTIONS FOR REFERENCE - PLEASE DO NOT DISCARD THESE FILING INSTRUCTIONS UNTIL YOU HAVE RECEIVED AND FILED THE NEXT RELEASE.

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General Information

Regulations of Saskatchewan

This loose-leaf regulations service:

- contains office consolidations of the Regulations of Saskatchewan as published in Parts II and III of *The Saskatchewan Gazette*. The consolidations, while true to published regulations and their amendments, are unofficial.
- is intended to be used with the Table of Regulations, also published by The Queen's Printer. The regulations in this service are arranged as they appear in the tables. The entries are recorded alphabetically by Act, as reflected by the alpha-numeric chapter numbers assigned to the Acts. For example, regulations under *The Education Act* fall under its chapter number, E-0.01. A Table of Contents appears at the beginning of each binder.
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The chapter numbers of the Acts appear on the spines of the ten volumes. Using the example of *The Education Act*, according to the spine labels, the regulations under E-0.01 appear in Volume III. Under each Act, arranged alphabetically by title, regulations appear alphabetically by their titles.

A title index of regulations is included at the end of Volume 9 detailing under what Act and in what volume each regulation appears. For example, *The Slot Machine Regulations* are listed in the index as follows:

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Each regulation begins with page number 1. Most regulations contain a table of contents and a title page, the latter providing the effective date of the original regulation and identifying all the amendments to that regulation current to the date of the loose-leaf release. Please consult the Table of Regulations for the effective dates of amendments.

Editorial Appendices have been added to the relevant regulations to assist you in compiling the most recent version of a form, if the form has not been included in the consolidation. Forms will be added in future releases, as they are completed.

Another editorial guide is the inclusion of historical notes following each section of each regulation; these notes correspond with the information contained in the Table of Regulations. For example: *The Auctioneers Regulations* (Vol. II):

Licence Fees

2 The fee for a licence as:

- (a) an auctioneer is \$125;
- (b) an auction sales company is \$625.

25 Nov 88 cA-34 Reg 2 s2; 8 Jne 90 SR 42/90 s2.

The historical note "25 Nov 88 cA-34 Reg 2 s2; 8 Jun 90 SR 42/90 s2" contains two historical references, separated by a semi-colon. The first indicates when section 2 of *The Auctioneers Regulations* was first published in *The Saskatchewan Gazette* and the other indicates when it was amended. In the first historical reference, "25 Nov 88" is the Gazette date of the regulations' original publication; "cA-34 Reg 2" is the Regulation Number; and "s2" is the section number. In the second historical reference, "8 Jne 90" is the Gazette date of the amending regulation; "SR 42/90" is the Regulation Number of the amending regulation; "s2" is section 2 which amends the appropriate provision of the regulation, which in this example is section 2 of *The Auctioneers Regulations*.

The regulations contained in this loose-leaf service are consolidated with amendments up to and including those published and/or effective by:

May 31, 2009

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The Alfalfa Seed Development Plan Regulations

being

Chapter A-15.21 Reg 9 (effective March 5, 2009).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER A-15.21 REG 9
The Agri-Food Act, 2004

PART 1
Title and Interpretation

Title

1 These regulations may be cited as *The Alfalfa Seed Development Plan Regulations*.

Interpretation

2 In these regulations:

- (a) **“Act”** means *The Agri-Food Act, 2004*;
- (b) **“alfalfa seed”** means the seed produced from any alfalfa plant, including *medicago sativa*, *medicago media* and *medicago falcata*;
- (c) **“assemble”** means to gather alfalfa seed in one place for the purpose of transporting it or selling it to a processor;
- (d) **“assembler”** means any person who, either directly or on behalf of a producer:
 - (i) transports alfalfa seed;
 - (ii) assembles alfalfa seed;
 - (iii) arranges for assembly of alfalfa seed; or
 - (iv) brokers a sale of alfalfa seed;
- (e) **“buyer”** means any person who buys or contracts to buy alfalfa seed produced in Saskatchewan;
- (f) **“clean seed”** means the amount of clean seed based on an estimate of the dockage and shrinkage;
- (g) **“commission”** means the Saskatchewan Alfalfa Seed Producers Development Commission continued pursuant to section 7;
- (h) **“leafcutting bee”** means the insect *megachile rotundata*;
- (i) **“plan”** means the Saskatchewan Alfalfa Seed Producers Development Plan continued pursuant to section 3;
- (j) **“processing”** means changing the nature, size, quality or condition of alfalfa seed crops;
- (k) **“processor”** means any person engaged in the business of processing alfalfa seed crops;

- (l) **“producer”** means:
- (i) any person operating a farm who is engaged in the production, marketing, or production and marketing of alfalfa seed crops, and includes the employer of that person;
 - (ii) a person who, under any lease or agreement, is entitled to a share of the alfalfa seed raised or the proceeds of its sale;
 - (iii) a person who takes possession of any alfalfa seed under any form of security or legal proceeding for a debt;
- (m) **“registered producer”** means a producer who:
- (i) is registered with the commission pursuant to section 21;
 - (ii) has paid a levy pursuant to subsection 24(1) in each of the last two years for which he or she has not received a refund pursuant to section 25.

13 Mar 2009 cA-15.21 Reg 9 s2.

PART II Plan

Plan continued

3 The Saskatchewan Alfalfa Seed Producers Development Plan is continued.

13 Mar 2009 cA-15.21 Reg 9 s3.

Application

4 Subject to any exemptions made by order of the commission, the plan and the orders of the commission made pursuant to the plan apply:

- (a) throughout Saskatchewan;
- (b) to all grades, classes or varieties of alfalfa seed; and
- (c) to all persons engaged in the production, marketing or production and marketing of alfalfa seed in Saskatchewan.

13 Mar 2009 cA-15.21 Reg 9 s4.

Purposes

5(1) The general purpose and intent of the plan is to provide for the orderly and effective development of the alfalfa seed industry in Saskatchewan.

(2) Without limiting the generality of subsection (1), the specific purposes of the plan are:

- (a) to promote and develop the alfalfa seed and leafcutting bee industries in Saskatchewan;
- (b) to develop procedures to maximize returns to producers;
- (c) to encourage the production of a uniform high-quality product;
- (d) to gather, compile and distribute information related to the production, processing, consumption and marketing of alfalfa seed and the management of leafcutting bees;

- (e) to conduct or encourage research on the production, marketing, processing and consumption of alfalfa seed and the management of leafcutting bees;
- (f) to promote and improve understanding among individuals and organizations within the alfalfa seed and leafcutting bee industries;
- (g) to establish a system of levies on alfalfa seed crops for carrying out the purposes of the plan; and
- (h) to represent and lobby on behalf of registered producers in matters relating to the development of the alfalfa seed and leafcutting bee industries.

13 Mar 2009 cA-15.21 Reg 9 s5.

Duration of the plan

- 6** The plan remains in effect until these regulations are repealed.

13 Mar 2009 cA-15.21 Reg 9 s6.

PART III Commission

Commission

- 7(1)** The Saskatchewan Alfalfa Seed Producers Development Commission is continued as a development commission pursuant to the Act.
- (2) The commission consists of six directors elected in accordance with Part VII.
- (3) If fewer than six directors are elected pursuant to Part VII, the commission may appoint registered producers as directors as it considers necessary to fill those positions.
- (4) The commission shall administer the plan.
- (5) On the coming into force of these regulations, the commission is to consist of the directors of the commission who held office pursuant to *The Saskatchewan Alfalfa Seed Producers Development Plan Regulations* on the day before these regulations came into force, who continue to hold office as if they had been elected pursuant to these regulations until their successors are elected pursuant to these regulations.

13 Mar 2009 cA-15.21 Reg 9 s7.

Powers of commission

- 8(1)** Subject to the other provisions of these regulations, the commission may exercise the following powers that are set out in subsection 8(1) of the Act:
- (a) the power to carry out educational, research and developmental programs related to alfalfa seed and leafcutting bees;
 - (b) the power to require any or all persons engaged in the production, marketing or production and marketing of alfalfa seed to register with the commission;
 - (c) the power to set and collect registration fees and charges for services rendered by the commission from any person engaged in the production, marketing or production and marketing of alfalfa seed;

- (d) the power to set and collect a levy from any person engaged in the production, marketing or production and marketing of alfalfa seed;
- (e) the power to categorize into groups persons engaged in the production, marketing or production and marketing of alfalfa seed for the purpose of setting and collecting the fees, charges or levies mentioned in clauses (c) and (d);
- (f) the power to set and collect penalties from any person who:
 - (i) is engaged in the production, marketing or production and marketing of alfalfa seed; and
 - (ii) contravenes an order of the commission;
- (g) the power to recover any unpaid fees, charges, levies or penalties mentioned in clause (c), (d) or (f) by an action in a court of competent jurisdiction;
- (h) the power to require any person engaged in the production, marketing or production and marketing of alfalfa seed to furnish the commission with any information or records relating to that production or marketing that the commission considers necessary;
- (i) the power to market, grade or insure alfalfa seed, either as principal or agent;
- (j) the power to:
 - (i) employ any officers and employees that it considers necessary to administer the plan; and
 - (ii) determine the duties, conditions of employment and remuneration of its officers and employees;
- (k) the power to establish or support a group insurance plan, a pension plan or any other employee benefit programs for its officers and employees mentioned in clause (j) and their dependants;
- (l) the power to use any money received by the commission to carry out the purposes of the plan and to pay the expenses of the commission;
- (m) the power to borrow, raise or secure the payment of money in any manner that the commission considers appropriate for the purpose of administering the plan;
- (n) the power to draw, make, accept, endorse, execute, issue, hypothecate or assign promissory notes, bills of exchange or other negotiable or transferable instruments;
- (o) subject to subsection (3), the power to make grants or loans to any person, organization, agency, institution or body within or outside Saskatchewan, for the purposes of the plan;
- (p) subject to subsection (3), the power to give financial guarantees respecting the indebtedness of any person if the commission considers it necessary or advisable for the purposes of the plan;
- (q) the power to purchase, take on lease or exchange or otherwise acquire real and personal property related to the business of the commission, and to insure, sell or otherwise dispose of any of its property;

- (r) the power to grant a mortgage or security interest in any of the commission's real or personal property;
 - (s) subject to section 35 of the Act, the power to enter into any agreement with any person, agency, organization, institution or body within or outside Saskatchewan for any purpose related to the exercise of any of the powers or the carrying out of any of the duties of the commission in relation to the plan;
 - (t) the power to:
 - (i) require any person who owes money to a registered producer with respect to the sale by the registered producer of alfalfa seed to pay the money to the commission; and
 - (ii) distribute the money paid to the commission pursuant to subclause (i), in the manner determined by the commission, to the registered producer to whom the money is owing;
 - (u) the power to:
 - (i) purchase or acquire by any other means, in the open market or otherwise, any securities of any corporation; and
 - (ii) hold membership in any corporation;
 - (v) the power to:
 - (i) hold, sell, transfer or otherwise deal with any of the securities mentioned in clause (u); and
 - (ii) exercise any rights, including the right to vote, as:
 - (A) an owner of the securities mentioned in clause (u); or
 - (B) a member;
 - (w) the power to register a business name pursuant to *The Business Names Registration Act*;
 - (x) the power to prescribe the manner in which reimbursement for expenses of the directors is to be determined and paid.
- (2) The commission shall not regulate or control in any way the production, marketing or production and marketing of alfalfa seed.
- (3) Neither the sum of the grants and loans mentioned in clause (1)(o), nor the sum of the financial guarantees mentioned in clause (1)(p), shall exceed 10% each of the commission's current assets as reported in the audited financial statement in the commission's most recent annual report at the time the grant, loan or financial guarantee is made or given.

13 Mar 2009 cA-15.21 Reg 9 s8.

Books and records

9(1) The commission shall:

- (a) maintain any books and records that may be required for the administration of the plan; and
- (b) keep those books and records open for inspection by the council at any reasonable time.

- (2) The commission shall maintain a registered office and head office in Saskatchewan.
- (3) The commission shall prepare an annual report containing:
 - (a) a copy of the audited financial statement of the commission for its previous fiscal year;
 - (b) a description of:
 - (i) the state of the industry; and
 - (ii) the activities of the commission for its previous fiscal year; and
 - (c) a list of the names and addresses of the directors of the commission.
- (4) The commission shall make the annual report available:
 - (a) to the council;
 - (b) at the annual general meeting of registered producers; and
 - (c) on request to:
 - (i) any registered producer;
 - (ii) any registered buyer; or
 - (iii) any other interested person.

13 Mar 2009 cA-15.21 Reg 9 s9.

Appointment of auditor

10(1) The registered producers:

- (a) shall, at each annual general meeting, appoint an auditor to audit the books, records and financial statements of the commission for the current fiscal year; and
 - (b) may, at any special general meeting, appoint an auditor to audit the books, records and financial statements of the commission for the current fiscal year.
- (2) If the registered producers fail to appoint an auditor pursuant to clause (1)(a) for a fiscal year, the council shall appoint an auditor to audit the books, records and financial statements of the commission for that fiscal year.
- (3) Any person appointed as auditor pursuant to this section must:
- (a) be independent of:
 - (i) the commission; and
 - (ii) the directors and officers of the commission; and
 - (b) be a member in good standing of a recognized accounting profession that is regulated by an Act.

13 Mar 2009 cA-15.21 Reg 9 s10.

Committees

11(1) The commission may appoint any committee that it considers necessary or desirable for the proper operation of the plan.

(2) The members of a committee appointed pursuant to this section are entitled to any remuneration and reimbursement for expenses that the commission may determine.

13 Mar 2009 cA-15.21 Reg 9 s11.

Chairperson and vice-chairperson

12(1) The commission shall elect a chairperson and vice-chairperson from among the directors of the commission at their first meeting in each year after new directors have been elected.

(2) The chairperson and vice-chairperson hold office at the pleasure of the commission.

(3) The chairperson, or in the absence of the chairperson the vice-chairperson, shall preside over all meetings of the commission.

13 Mar 2009 cA-15.21 Reg 9 s12.

Quorum

13 For the transaction of business at a duly called meeting of the commission:

(a) a majority of the commission constitutes a quorum; and

(b) a decision of a majority of those directors comprising a quorum is a decision of the commission.

13 Mar 2009 cA-15.21 Reg 9 s13.

Policies re conflict of interest and code of conduct

14 Within 18 months after the coming into force of these regulations, the commission shall prepare and submit to the council:

(a) a conflict of interest policy for the directors; and

(b) a policy respecting a code of conduct for the directors.

13 Mar 2009 cA-15.21 Reg 9 s14.

Conflicts of interest

15(1) No director shall:

(a) fail to disclose to the commission any conflict of interest that the director may have; or

(b) vote on any matter with respect to which the director has any direct or indirect financial interest that is different from the financial interest of other producers.

(2) If the commission is uncertain whether or not a director has a conflict of interest mentioned in clause (1)(a) or (b), the commission must adjourn the matter until the conflict of interest issue is resolved pursuant to the policies mentioned in section 14.

13 Mar 2009 cA-15.21 Reg 9 s15.

Bank accounts

16 The commission may open accounts in the name of the commission in a bank, credit union or trust corporation licensed pursuant to *The Trust and Loan Corporations Act, 1997* and appoint signing officers.

13 Mar 2009 cA-15.21 Reg 9 s16.

Investments

17 The commission may:

- (a) invest any money in its possession or control that is not immediately required for a purpose of the plan or its operations in any security or class of securities authorized for investment of money in the general revenue fund pursuant to *The Financial Administration Act, 1993*; and
- (b) dispose of any investment made pursuant to clause (a) in any manner, on any terms and in any amount that the commission considers expedient.

13 Mar 2009 cA-15.21 Reg 9 s17.

Fiscal year

18 The fiscal year of the commission is the period commencing on August 1 in one year and ending on July 31 in the following year.

13 Mar 2009 cA-15.21 Reg 9 s18.

Financial plan

19 The commission shall prepare and approve a financial plan of its operations at the beginning of each fiscal year.

13 Mar 2009 cA-15.21 Reg 9 s19.

Meetings of registered producers

20(1) An annual general meeting of registered producers:

- (a) is to be held on or before December 1 in each year; and
- (b) is to be held at a place and time determined by the commission.

(2) The commission:

- (a) may call a special general meeting of registered producers at any time; and
- (b) shall call a special general meeting on the written request of not less than 15 registered producers.

(3) The commission shall notify all registered producers, in writing:

- (a) for an annual general meeting of registered producers, of the date, time and location and agenda not less than 30 days before the date on which the annual general meeting commences; and
- (b) for a special general meeting of registered producers, of the date, time, location and agenda not less than 15 days before the date on which the special general meeting commences.

- (4) The notice mentioned in subsection (3) may be sent:
 - (a) by ordinary or registered mail; or
 - (b) at the request of a registered producer, by facsimile or electronic mail.
- (5) If a notice is sent pursuant to clause (4)(b), it is deemed to be received on the day after it was sent.
- (6) The quorum at an annual or special general meeting of registered producers is 25 registered producers.
- (7) The commission shall present to the annual general meeting:
 - (a) the financial plan it has approved for the current fiscal year; and
 - (b) an outline of programs and activities it has planned for the current fiscal year.
- (8) Any change to the remuneration to be paid to the directors of the commission is to be determined by motion of the commission and approved by a vote of registered producers at the next annual general meeting or special general meeting.
- (9) At an annual or special general meeting, registered producers may debate and take a vote by show of hands on any questions or resolutions respecting the purposes of the plan.

13 Mar 2009 cA-15.21 Reg 9 s20.

PART IV Registration

Registration of producers

- 21(1) Every producer shall register with the commission at the time and in the manner determined by order of the commission.
- (2) The commission shall keep and maintain at its head office a register containing the name and address of every registered producer.

13 Mar 2009 cA-15.21 Reg 9 s21.

Registration of buyers

- 22(1) Every buyer shall register with the commission at the time and in the manner determined by order of the commission.
- (2) The commission shall keep and maintain at its head office a register containing the name and address of every registered buyer.

13 Mar 2009 cA-15.21 Reg 9 s22.

Suspension and cancellation of registrations

- 23(1) The commission may cancel or suspend a registration if the registered producer has contravened:
 - (a) the Act;
 - (b) the plan;
 - (c) these regulations; or

- (d) an order or direction of the commission.
- (2) The commission shall establish, by order, procedures respecting the cancellation or suspension of a registration pursuant to this section.
- (3) If the commission suspends or cancels a registration pursuant to this section, the commission must advise the registered producer in writing of its decision.

13 Mar 2009 cA-15.21 Reg 9 s23.

PART V

Levies

Collection of levies

- 24(1) Every producer engaged in the production, marketing or production and marketing of alfalfa seed shall pay to the commission, at the times and in the manner determined by the commission, a levy calculated in accordance with this section.
- (2) Subject to subsection (3), the levy mentioned in subsection (1):
 - (a) is to be determined by order of the commission; and
 - (b) is to be based on a fixed rate for every pound of alfalfa seed marketed or processed by a producer on a clean seed basis.
- (3) The commission shall provide registered producers:
 - (a) an opportunity to discuss the rate of the levy at annual general meetings and special general meetings; and
 - (b) at least 30 days' notice that the rate of the levy is to be discussed at an annual general meeting or special general meeting.
- (4) The commission may require any processor, buyer or assembler of alfalfa seed to:
 - (a) deduct the levy mentioned in subsection (1), and other fees and charges on alfalfa seed levied pursuant to these regulations, from any payment made to a producer; and
 - (b) forward the levy and other fees and charges to the commission.
- (5) The commission may require any producer of alfalfa seed to:
 - (a) deduct the levy mentioned in subsection (1), and other fees and charges on alfalfa seed levied pursuant to these regulations, from any payment from another producer; and
 - (b) forward the levy and other fees and charges to the commission.
- (6) The commission may recover in a court of competent jurisdiction the levies, fees and charges mentioned in this section from producers, processors, buyers and assemblers.

13 Mar 2009 cA-15.21 Reg 9 s24.

Refund of levies

25(1) The commission shall make a refund of levies only if:

(a) the commission receives a written request for the refund from the producer:

(i) with respect to levies paid between February 1 and July 31 in any year, not later than August 31 of that year; and

(ii) with respect to levies paid between August 1 in any year and January 31 in the following year, not later than February 28 of that year; and

(b) the request has been verified by the commission.

(2) If the commission receives and verifies a written request for a refund of levies that were paid to the commission by the producer:

(a) between February 1 and July 31 in any year, the commission shall make the refund of those levies to the producer not later than October 31 of that year; and

(b) between August 1 in any year and January 31 in the following year, the commission shall make the refund of those levies to the producer not later than April 30 of that year.

13 Mar 2009 cA-15.21 Reg 9 s25.

Required notification

26 If, for any one fiscal year, 35% or more of the producers representing 35% or more of the levy for that fiscal year request a refund of levies pursuant to subsection 25(1), the commission shall immediately notify the council.

13 Mar 2009 cA-15.21 Reg 9 s26.

PART VI

Commission Orders

Commission orders

27(1) The chairperson, or in the absence of the chairperson the vice-chairperson, shall sign every order issued by the commission pursuant to section 12 of the Act.

(2) The commission shall number in consecutive order, retain and make available for inspection at its head office by any registered producer, registered buyer or any other person designated by the council, original copies of all orders that have been approved by the council pursuant to section 12 of the Act.

(3) The commission shall:

(a) cause all orders of the commission to be published in the Gazette and in any other media it considers appropriate; and

(b) annually review the orders of the commission and consolidate them.

13 Mar 2009 cA-15.21 Reg 9 s27.

PART VII Elections

Eligibility

28(1) Every registered producer is eligible to hold office as a director of the commission.

(2) Subject to subsection (5), a registered producer that is a corporation, association, society or other designation is entitled to vote or hold office:

(a) only through a designated representative appointed in writing; and

(b) only if notice of that appointment has been filed with the commission in a form and manner acceptable to the commission.

(3) Except as provided in subsection (2), voting by proxy is prohibited.

(4) Subject to subsection (5), every registered producer is entitled to one vote.

(5) No individual shall be entitled to more than one vote regardless of whether he or she is voting as an individual registered producer or as a designated representative of a registered producer.

13 Mar 2009 cA-15.21 Reg 9 s28.

Nominations

29(1) Any registered producer is eligible to be nominated for election as a director of the commission.

(2) The commission shall, at least 30 days before the date of the annual general meeting of registered producers at which the election will take place, send to each registered producer a notice that states that nominations will be accepted for the election of directors from registered producers attending the annual general meeting.

(3) The commission shall receive nominations from registered producers at the annual general meeting.

(4) Every nomination is to be:

(a) in the form required by the commission;

(b) seconded by one registered producer or the representative of a registered producer appointed pursuant to subsection 28(2).

13 Mar 2009 cA-15.21 Reg 9 s29.

Returning officer and scrutineer

30(1) Subject to subsection (2), the commission shall appoint a returning officer and a scrutineer to conduct an election pursuant to section 31.

(2) Registered producers, alfalfa seed producers, buyers and officers and employees of the commission are not eligible to be appointed pursuant to subsection (1).

(3) The returning officer appointed pursuant to subsection (1) is responsible for all administrative procedures related to conducting an election.

(4) The scrutineer appointed pursuant to subsection (1) is responsible for scrutinizing all actions related to conducting an election.

13 Mar 2009 cA-15.21 Reg 9 s30.

Conduct of elections

31(1) The commission shall arrange for the conduct of elections in conjunction with the annual general meeting.

(2) If not more than the required number of candidates is nominated pursuant to section 29, the candidates nominated are deemed to be elected by acclamation.

(3) If more than the required number of candidates are nominated pursuant to section 29, the commission shall conduct a vote.

(4) All voting is to be by ballot.

(5) The returning officer shall declare those candidates receiving the greatest number of votes, up to the number of director positions to be filled, to be directors of the commission.

(6) The ballot of a registered producer is not valid if:

(a) the registered producer votes for more than the specified number of candidates;

(b) it is defaced;

(c) it is marked in any way other than to vote for candidates;

(d) it is not the original ballot provided by the commission; or

(e) the individual who voted for the registered producer voted more than once.

(7) Ties are to be decided by the drawing of lots.

13 Mar 2009 cA-15.21 Reg 9 s31.

Validity of election

32 A registered producer is deemed to have received any document that is mailed to the last address provided by him or her to the commission, and the failure of any registered producer to receive that document does not invalidate the election.

13 Mar 2009 cA-15.21 Reg 9 s32.

Election results

33 The returning officer shall announce the names of the persons elected as directors at the close of the annual general meeting of registered producers at which the election was held.

13 Mar 2009 cA-15.21 Reg 9 s33.

Term of office, vacancy, etc.

34(1) Subject to subsection (4), a director of the commission holds office:

(a) for a term of three years:

(i) commencing with the announcement of the director's election by the returning officer; or

(ii) in the case of an appointed director, after he or she is appointed; and

(b) until the director's successor is elected or appointed, as the case may be.

- (2) Subject to subsection (3), a director is eligible for re-election or reappointment.
- (3) If a director has completed two consecutive terms, he or she is not eligible for re-election or reappointment until one year has passed since the completion of the director's second consecutive term.
- (4) The office of a director becomes vacant if a director:
 - (a) ceases to qualify as a registered producer;
 - (b) resigns, dies or is unable to act;
 - (c) is absent from two consecutive meetings of the commission without being excused by a resolution of the commission; or
 - (d) fails to fulfil his or her duties as established by the policy of the commission and approved by the council.
- (5) Notwithstanding subsection 7(2), if the office of a director becomes vacant, the commission may appoint a registered producer as a director to fill the vacancy until the next election.

13 Mar 2009 cA-15.21 Reg 9 s34.

Retention of ballots

35 The returning officer shall:

- (a) retain all ballots in his or her possession; and
- (b) not destroy any ballot or other record respecting an election of directors until 90 days after the annual general meeting of registered producers at which the returning officer announced the results of the election.

13 Mar 2009 cA-15.21 Reg 9 s35.

PART VIII

Repeal, Transitional and Coming into Force

R.R.S. cA-15.2 Reg 6 repealed

36 *The Saskatchewan Alfalfa Seed Producers Development Plan Regulations* are repealed.

13 Mar 2009 cA-15.21 Reg 9 s36.

Transitional - term of office

37 Notwithstanding any other provision of these regulations, the directors of the commission who hold office on the day before the day on which *The Alfalfa Seed Development Plan Regulations* come into force continue to hold office as follows:

- (a) the two directors who were elected at the annual general meeting of registered producers held in 2007 hold office until the director's successor is elected or appointed, as the case may be, at the annual general meeting of registered producers held after January 2009 and before December 1, 2009;
- (b) the two directors who were elected at the annual general meeting of registered producers held in 2008 hold office until the director's successor is elected or appointed, as the case may be, at the annual general meeting of registered producers held in 2010; and
- (c) the two directors who were elected at the annual general meeting of registered producers held in January 2009 hold office until the director's successor is elected or appointed, as the case may be, at the annual general meeting of registered producers held in 2011.

13 Mar 2009 cA-15.21 Reg 9 s37.

Coming into force

38 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

13 Mar 2009 cA-15.21 Reg 9 s38.

The Alcohol Control Regulations, 2002

being

Chapter A-18.011 Reg 1 (effective February 1, 2003) as amended
by Saskatchewan Regulations 98/2003; 44/2006 and 20/2009.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER A-18.011 REG 1
The Alcohol and Gaming Regulation Act, 1997

PART I
Introductory Matters

Title

- 1 These regulations may be cited as *The Alcohol Control Regulations, 2002*.

Interpretation

- 2 In these regulations:

“**Act**” means *The Alcohol and Gaming Regulation Act, 1997*; (« *Loi* »)

“**brew pub premises**” means premises where:

- (a) beer is manufactured pursuant to a manufacturer permit issued by the authority;
- (b) the amount of beer manufactured for sale in a year is:
 - (i) in the case of premises located in the City of Saskatoon, Regina, Prince Albert or Moose Jaw, not less than 100 hectolitres and not more than 2 000 hectolitres; and
 - (ii) in the case of premises located elsewhere, not less than 30 hectolitres and not more than 2 000 hectolitres; and
- (c) the beer is manufactured for sale and consumption on the premises pursuant to a permit issued pursuant to clause 12(1)(b); (« *microbrasserie* »)

“**capacity**” means the maximum number of persons who are allowed to be present at any one time in a premises or area that is the subject of a permit:

- (a) subject to clause (c), as that number is determined by the fire commissioner or a fire inspector as defined in *The Fire Prevention Act, 1992* using the criteria set out in the relevant National Fire Code of Canada that is in force pursuant to *The Saskatchewan Fire Code Regulations*;
- (b) in the absence of a determination by the fire commissioner or a fire inspector pursuant to clause (a) but subject to clause (c), as that number is determined by the authority using the criteria set out in the relevant National Fire Code of Canada that is in force pursuant to *The Saskatchewan Fire Code Regulations*; or
- (c) as that number is determined in accordance with these regulations, where that number is less than the number determined pursuant to clause (a) or (b); (« *nombre de places* »)

“**spirits**” means a beverage manufactured by a process of distillation and having more than 10% alcohol by volume. (« *spiritueux* »)

Permits

3 The following classes of permits are established:

- (a) restaurant permits;
- (b) tavern permits;
- (c) special use permits;
- (d) manufacturer permits;
- (e) special occasion permits;
- (f) u-brew or u-vin operation permits.

10 Jan 2003 cA-18.011 Reg 1 s3; 27 Mar 2009
SR 20/2009 s4.

Capacity of premises

3.1 Every permittee shall ensure that the capacity of the premises or area that is the subject of the permit issued to that permittee is not exceeded.

27 Mar 2009 SR 20/2009 s5.

Sale of beverage alcohol

4(1) Subject to the Act, these regulations and any terms imposed on the permittee by the authority, a permittee may sell beverage alcohol in the premises or area with respect to which the permit is issued.

(2) Subject to the Act, these regulations and any terms imposed on the permittee by the authority, a permittee who holds a permit that has been endorsed by the authority respecting the sale of beverage alcohol may sell beverage alcohol in accordance with the endorsement.

(3) Subject to the Act, these regulations and any terms imposed on the permittee by the authority, a permittee who holds a special occasion permit, if authorized by the permit, may serve beverage alcohol without charge at the special occasion.

(4) No permittee who is required to hold a licence pursuant to *The Liquor Consumption Tax Act* shall sell beverage alcohol without holding that licence.

10 Jan 2003 cA-18.011 Reg 1 s4.

PART II

Restaurant Permits

Restaurant permits

5 The authority may issue a restaurant permit respecting any premises where the primary business and source of revenue generated in the premises is the preparation and sale of food for consumption in the premises.

27 Mar 2009 SR 20/2009 s6.

Restaurant permit endorsement

6 The authority may endorse a restaurant permit to authorize the permittee to deliver beverage alcohol to guests in the guest rooms of a hotel or motel if:

- (a) the permittee provides food service to the guest rooms during the hours in which beverage alcohol is served in the restaurant of the permittee;
- (b) the permitted premises are located in or adjacent to the hotel or motel;
- (c) the permittee sells and delivers to guests in the hotel or motel only those types of beverage alcohol that the permittee is authorized to sell in the permitted premises; and
- (d) the operator of the hotel or motel is a person other than the permittee and has consented in writing to the sale and delivery of beverage alcohol by the permittee in the hotel or motel.

10 Jan 2003 cA-18.011 Reg 1 s6.

Endorsement permitting sale from locked compartments

7(1) The authority may endorse a restaurant permit of a permittee who operates a restaurant that is located in or adjacent to a hotel or motel to authorize the permittee to sell beverage alcohol from locked compartments in guest rooms of the hotel or motel.

(2) A permittee whose permit has been endorsed to authorize the sale of beverage alcohol from locked compartments shall ensure that:

- (a) the beverage alcohol is stored in locked compartments;
- (b) the keys that open the compartments are provided only to registered guests of the hotel or motel who are not minors; and
- (c) non-alcoholic beverages and foodstuffs are stored with the beverage alcohol in the locked compartments.

(3) A permittee shall sell from the locked compartments only those types of beverage alcohol that the permittee is authorized to sell in the permitted premises.

10 Jan 2003 cA-18.011 Reg 1 s7.

Endorsement permitting sale from lounge, etc.

8(1) Subject to subsection (2), the authority may endorse a restaurant permit to authorize the permittee to sell beverage alcohol for consumption by persons in a lounge, banquet room or casino that is adjacent and suitably connected to the permitted premises.

(2) The authority shall not, in any of the following circumstances, endorse a restaurant permit pursuant to subsection (1) respecting a lounge:

- (a) if, in the authority's opinion, the lounge is not suitable for the purpose for which the endorsement is sought;
- (b) if the floor area of the lounge exceeds 50% of the floor area of the permitted premises;
- (c) if the capacity of the lounge exceeds 50% of the capacity of the permitted premises.

(3) For the purposes of subsection (1), guest rooms in a hotel or motel to which beverage alcohol may be delivered for sale and consumption pursuant to an endorsement mentioned in section 6 are not to be considered as part of any lounge.

(4) A permittee whose permit is endorsed pursuant to subsection (1) shall ensure that:

- (a) food service is available in the lounge, banquet room or casino; and
- (b) only those types of beverage alcohol that the permittee is authorized to sell in the permitted premises are sold in the lounge, banquet room or casino.

10 Jan 2003 cA-18.011 Reg 1 s8; 27 Mar 2009
SR 20/2009 s7.

Endorsement permitting sale at other locations

9(1) The authority may endorse a restaurant permit to authorize the permittee to deliver and sell beverage alcohol for consumption at locations for which a special occasion permit has been issued.

(2) **Repealed.** 27 Mar 2009 SR 20/2009 s8.

10 Jan 2003 cA-18 011 Reg 1 s9; 27 Mar 2009
SR 20/2009 s8.

Restaurant permit requirements

10(1) The holder of a restaurant permit shall only serve beverage alcohol to a customer as part of a meal served to the customer.

(2) The holder of a restaurant permit shall ensure that the food to beverage alcohol sales value ratio in the permitted premises is at least one dollar of food sales for every dollar of beverage alcohol sales.

(3) Subsections (1) and (2) do not apply to any lounge, banquet room or casino with respect to which the permit is endorsed pursuant to section 8 nor to any patio with respect to which the permit is endorsed pursuant to section 32.

(4) In accordance with subsection 75(6) of the Act, the holder of a restaurant permit shall, on request of the purchaser, recork a bottle of wine purchased in the permitted premises.

10 Jan 2003 cA-18.011 Reg 1 s10; 27 Mar 2009
SR 20/2009 s9.

Nightclub endorsement

11(1) Subject to the approval by resolution of the council of the municipality in which the restaurant is situated, the authority may endorse a restaurant permit with a nightclub endorsement to authorize the permittee to operate the permitted premises as a nightclub.

(2) A permittee who, prior to January 20, 1995, held a valid Class "A" licence with an entertainment endorsement is not required to obtain municipal approval for a nightclub endorsement on a restaurant permit issued to the permittee after that date.

(3) When the authority endorses a restaurant permit pursuant to subsection (1), the authority shall prescribe the days and times that the permitted premises may be operated as a nightclub.

(4) During the days and times that an endorsement pursuant to subsection (1) authorizes the permitted premises to be operated as a nightclub:

(a) the permittee shall operate the permitted premises as a nightclub subject to the Act, these regulations and the terms established by the authority;

(b) the provisions of the Act and these regulations that affect or apply to permittees operating nightclubs apply to the permittee and the permitted premises during the times that the permittee is operating the permitted premises as a nightclub;

(c) subsection 10(2) does not apply to the permittee; and

(d) the permittee shall ensure that entertainment is offered nightly in the permitted premises.

10 Jan 2003 cA-18.011 Reg 1 s11; 27 Mar 2009
SR 20/2009 s10.

PART III Tavern Permits

Tavern permits

12(1) The authority may issue a tavern permit respecting any premises where the primary business is the sale of beverage alcohol for consumption on the premises, and the premises:

(a) are situated in a hotel or motel;

(b) are brew pub premises and the applicant for the permit is the holder of the manufacturer permit respecting the brew pub premises;

(c) consist of a nightclub where:

(i) subject to the hours of operation prescribed pursuant to subsection (3), entertainment is offered nightly in the premises; and

(ii) the operations of the nightclub have been approved by resolution of the council of the municipality in which the nightclub is situated;

(d) are:

(i) situated in a municipality that has a population of less than 5 000 people and in which there are no other premises with respect to which a tavern permit is held; and

(ii) constructed or reconstructed on or near the site of a hotel or motel that was destroyed or damaged from any cause and with respect to which a permit or liquor licence had been issued;

(e) are premises with respect to which a valid beverage room licence issued pursuant to *The Liquor Licensing Act* existed on January 1, 1989; or

(f) are:

(i) premises situated in a municipality that has a population of less than 5 000 people in which a hotel or motel is situated that previously held a tavern permit with an off-sale endorsement and no other permit that contains an off-sale endorsement is presently in effect in that municipality; and

(ii) the only premises in that municipality for which a tavern permit has been granted, other than the hotel or motel situated in that municipality.

(2) In accordance with subsection 75(6) of the Act, the holder of a tavern permit shall, on request of the purchaser, recork a bottle of wine purchased in the permitted premises.

(3) The authority shall prescribe the hours during which the permitted premises for which a tavern permit has been granted may be operated as a nightclub.

10 Jan 2003 cA-18.011 Reg 1 s12; 27 Mar 2009
SR 20/2009 s11.

Tavern permit for brew pub

13(1) The holder of a manufacturer permit respecting brew pub premises shall:

(a) sell the beer manufactured in the brew pub premises to the authority; and

(b) as the holder of a tavern permit pursuant to clause 12(1)(b), purchase that beer from the authority at a price established by the authority.

(2) The holder of a tavern permit pursuant to clause 12(1)(b) shall offer for sale in the brew pub premises a minimum of four types of in-house draught beer manufactured in the brew pub premises.

10 Jan 2003 cA-18.011 Reg 1 s13; 27 Mar 2009
SR 20/2009 s12.

Endorsement permitting sale from locked compartments

14(1) The authority may endorse a tavern permit of a permittee who operates a tavern that is located in or adjacent to a hotel or motel to authorize the permittee to sell beverage alcohol from locked compartments in guest rooms of the hotel or motel.

(2) A permittee whose permit has been endorsed to authorize the sale of beverage alcohol from locked compartments shall ensure that:

(a) the beverage alcohol is stored in locked compartments;

(b) the keys that open the compartments are provided only to registered guests of the hotel or motel who are not minors; and

(c) non-alcoholic beverages and foodstuffs are stored with the beverage alcohol in the locked compartments.

(3) The permittee shall sell from the locked compartments only those types of beverage alcohol that the permittee is authorized to sell in the permitted premises.

10 Jan 2003 cA-18.011 Reg 1 s14.

Endorsement permitting sale at other locations

15 The authority may endorse a tavern permit to authorize the permittee to deliver and sell beverage alcohol for consumption at locations for which a special occasion permit has been issued.

27 Mar 2009 SR 20/2009 s13.

**PART IV
Special Use Permits**

Special use permits

16(1) The authority may issue a special use permit respecting:

- (a) any club premises if:
 - (i) the club is a non-profit corporation or a service club;
 - (ii) the club premises are owned or leased by the club;
 - (iii) the club operates the premises; and
 - (iv) the club limits admission to the premises to its members and guests of its members;
- (b) any premises in a facility where the primary purpose of the premises is to provide sport activities and where the owner or operator of the facility limits admission to persons:
 - (i) who have paid a membership fee or service charge for the privilege of engaging in a sport; or
 - (ii) who are spectators of a sport;
- (c) any railway car, limousine, airplane, bus or vessel that is used in the business of providing public transportation;
- (d) any theatre or concert premises;
- (e) any premises in an airport;
- (f) any premises in a university or post-secondary educational institution;
- (g) any military mess;
- (h) a sports stadium if the council of the municipality in which the stadium is situated authorizes the sale of beverage alcohol in the stadium;
- (i) any camp in the Northern Saskatchewan Administration District in which dining and lodging is provided;
- (j) any premises in which exhibitions or fairs are presented;
- (k) any special-care facilities;
- (l) any casino;
- (m) any bingo hall where the primary purpose of the premises is to conduct bingo; and
- (n) any premises from which a permit holder may offer home delivery of beverage alcohol.

(2) The holder of a permit issued pursuant to clause (1)(b) may purchase beer, wine and coolers from a permittee whose permit is endorsed pursuant to clause 33(1)(b), (c) or (e) if the primary purpose of the holder of the permit with respect to the permitted premises is to operate a golf course or curling rink.

(3) The following provisions of the Act do not apply with respect to special use permits mentioned in clauses (1)(d), (h) and (j):

- (a) clause 58(1)(d) of the Act;
- (b) subclause 61(1)(a)(ii) of the Act;
- (c) clause 61(1)(b) of the Act.

(4) In accordance with subsection 75(6) of the Act, the holder of a special use permit shall, on request of the purchaser, recork a bottle of wine purchased in the permitted premises.

10 Jan 2003 cA-18.011 Reg 1 s16; 27 Mar 2009
SR 20/2009 s14.

Endorsement re club premises

16.1 The authority may endorse a special use permit issued pursuant to clause 16(1)(a) authorizing a club to sell beverage alcohol for consumption on club premises for which a special occasion permit has been granted.

27 Mar 2009 SR 20/2009 s15.

Endorsement re trade show events

16.2 The authority may endorse a special use permit issued pursuant to clause 16(1)(d), (f) or (j) authorizing the sale for consumption of samples of beverage alcohol at trade show events that are carried on in the permitted premises in accordance with the Act, these regulations and any terms imposed by the authority.

27 Mar 2009 SR 20/2009 s15.

Home delivery special use permit

16.3(1) A home delivery special use permit may be issued pursuant to clause 16(1)(n) to:

- (a) a holder of a franchise;
 - (b) a permittee who has been granted an endorsement pursuant to clause 33(1)(b), (c) or (e); or
 - (c) any other person who, in the authority's opinion, qualifies for a home delivery special use permit in accordance with the Act and these regulations.
- (2) No person mentioned in clause (1)(c) who has been granted a home delivery special use permit shall store beverage alcohol for the purpose of sale.
- (3) The holder of a home delivery special use permit may:
- (a) take orders from any person who wishes to purchase beverage alcohol; and
 - (b) deliver and sell the beverage alcohol to the person who ordered it at a private place where it is lawful to store and consume the beverage alcohol.

- (4) The holder of a home delivery special use permit shall purchase the beverage alcohol required to fill an order taken pursuant to subsection (3):
- (a) from the authority, a franchise or a permittee with an endorsement pursuant to clause 33(1)(b), (c) or (e); and
 - (b) during the hours and days that beverage alcohol may be lawfully sold pursuant to section 41.
- (5) The holder of a home delivery special use permit shall deliver and sell the beverage alcohol ordered pursuant to subsection (3) during the hours and days that beverage alcohol may be lawfully sold pursuant to section 41 and the period mentioned in section 44.
- (6) The holder of a home delivery special use permit shall ensure that:
- (a) the charge for home delivery of beverage alcohol is the same price paid by retail customers for the purchase of beverage alcohol plus a separate delivery charge;
 - (b) customers are informed of the purchase price and the delivery charge at the time of placing the order;
 - (c) the person delivering the beverage alcohol is carrying a copy of the home delivery special use permit;
 - (d) no home delivery of beverage alcohol is made to a minor nor to any person who appears to be intoxicated at the time of delivery; and
 - (e) in the case of a person described in clause (1)(c), any beverage alcohol purchased to fill an order but not delivered and sold is returned to the authority, a franchise or a permittee with an endorsement pursuant to clause 33(1)(b), (c) or (e).
- (7) The holder of a home delivery special use permit shall:
- (a) have the purchaser sign a receipt for the sale and delivery of beverage alcohol; and
 - (b) maintain a record of the following information with respect to sale and delivery of beverage alcohol:
 - (i) the address of each person who orders beverage alcohol from the permittee;
 - (ii) the date of the order;
 - (iii) the kind and quantity of beverage alcohol ordered;
 - (iv) the price charged for the beverage alcohol ordered;
 - (v) the delivery fee charged;
 - (vi) the date and time of delivery;
 - (vii) the name of the person making the delivery;

(viii) for each person who purchases beverage alcohol from the permittee who appears to the delivery person to be less than 25 years of age, the name of the person and the type of identification proving age that is produced at the request of the delivery person;

(ix) in the event that beverage alcohol was ordered but not delivered or sold, the reason the beverage alcohol was not delivered or sold.

(8) The holder of a home delivery special use permit shall retain the receipts and records mentioned in subsection (7) for at least two years and make those receipts and records available for inspection by the authority.

27 Mar 2009 SR 20/2009 s15.

PART IV.1

U-brew and U-vin Operation Permits

U-brew and u-vin operation permits

16.4(1) The authority may issue a permit respecting a u-brew or u-vin operation to be carried on:

(a) in a premises that, in the opinion of the authority, is suitable for a u-brew or u-vin operation; and

(b) in accordance with the Act, these regulations and any terms imposed by the authority.

(2) No holder of a u-brew or u-vin operation permit shall:

(a) keep or store beverage alcohol other than beverage alcohol that is kept in a container used for the manufacture of beverage alcohol;

(b) sell, offer for sale or produce for sale any beverage alcohol;

(c) subject to section 16.5, allow the consumption of beverage alcohol on the premises for which the permit has been issued;

(d) allow minors to participate in the manufacture or handling of beverage alcohol;

(e) perform any activity related to the manufacture of beverage alcohol except those activities allowed by the authority.

27 Mar 2009 SR 20/2009 s16.

Sampling

16.5 The holder of a u-brew or u-vin operation permit may allow a customer to sample the customer's own product during the manufacturing process, subject to the following:

(a) the samples must be provided before the beverage alcohol is bottled;

(b) the maximum number of samples shall not exceed two samples per batch, regardless of the number of customers participating in the batch;

- (c) the maximum sample size shall not exceed 100 millilitres per sample; and
- (d) the samples may only be consumed by a customer identified on the identification tag that is attached in accordance with subsection 16.7(2) to the container used for the manufacturing of the customer's beverage alcohol.

27 Mar 2009 SR 20/2009 s16.

Responsibilities concerning customers

16.6(1) No holder of a u-brew or u-vin operation permit shall allow a customer to manufacture beverage alcohol in the premises or remove beverage alcohol manufactured in the premises unless the customer makes at least two visits to the u-brew or u-vin operation to carry out the following tasks:

- (a) during the initial visit, the customer shall:
 - (i) pay for the product and service;
 - (ii) sign a declaration that the product will be used for personal consumption in a private place or for consumption by others in a private place at no charge; and
 - (iii) mix all ingredients necessary to start the fermentation process to manufacture the beverage alcohol; and
 - (b) during the second visit, the customer shall:
 - (i) bottle and seal the beverage alcohol; and
 - (ii) remove the beverage alcohol from the premises.
- (2) The holder of a u-brew or u-vin operation permit may allow a customer to be accompanied by one or more persons to assist the customer in performing the tasks mentioned in subsection (1) as long as those persons are not associated with the u-brew or u-vin operation.
- (3) The holder of a u-brew or u-vin operation permit or his or her employees may assist the customer in performing the tasks mentioned in subsection (1) but each of those tasks must be primarily performed by the customer unless the customer is physically incapable of performing the task alone.
- (4) If the customer is physically incapable of performing the task alone, the permittee may assist the customer only if the customer is present.

27 Mar 2009 SR 20/2009 s16.

Record-keeping and reporting requirements

16.7(1) The holder of a u-brew or u-vin operation permit shall obtain, retain for two years and make available for inspection by the authority:

- (a) a signed declaration from each customer for each batch of beverage alcohol manufactured in the premises, declaring that the beverage alcohol will be used for personal consumption in a private place or for consumption by others in a private place at no charge; and

- (b) a sales invoice for each customer declaration that includes:
 - (i) the customer's name, address and telephone number;
 - (ii) the product type and quantity;
 - (iii) the ingredients provided to the customer and the price charged;
 - (iv) the services provided to the customer and the price charged;
 - (v) the date on which the manufacturing process started;
 - (vi) the amount of payment received;
 - (vii) the name, address and telephone number of the permittee.
- (2) The holder of a u-brew or u-vin operation permit shall ensure that during the manufacturing process an identification tag is attached to each container used for the manufacturing of the customer's beverage alcohol.
- (3) The holder of a u-brew or u-vin operation permit shall prepare and submit a report to the authority by April 30 of each year, in a form acceptable to the authority, that includes the following information with respect to the u-brew or u-vin operation for the period commencing on April 1 of the previous year and ending on March 31 of that year:
 - (a) the type of beverage alcohol manufactured and the volume of each type of beverage alcohol manufactured;
 - (b) the number of customers manufacturing each type of beverage alcohol; and
 - (c) any other information that the authority may require.

27 Mar 2009 SR 20/2009 s16.

Unclaimed product

16.8 The holder of a u-brew or u-vin operation permit shall destroy any unclaimed product after making reasonable attempts to contact the customer.

27 Mar 2009 SR 20/2009 s16.

Permittee may manufacture for personal use

16.9 Subject to fulfilling the requirements set out in sections 16.4 to 16.8, the holder of a u-brew or u-vin operation permit or his or her employees may manufacture, at the u-brew or u-vin operation premises, beverage alcohol for personal consumption in a private place or for consumption by others in a private place at no charge.

27 Mar 2009 SR 20/2009 s16.

PART V
Manufacturer Permits

Manufacturer permits

17(1) The authority may issue a manufacturer permit respecting any premises where the primary business is that of a brewery, distillery or winery.

(2) Subject to the Act, these regulations and any other law, the holder of a manufacturer permit may:

- (a) manufacture beverage alcohol of a kind and at the premises specified in the permit;
- (b) sell and deliver to the authority beverage alcohol manufactured by the permittee;
- (c) in the case of a brewer, sell on behalf of the authority and deliver to a permittee beverage alcohol manufactured by the brewer; and
- (d) export beverage alcohol of a kind specified by the authority.

(3) Subject to clauses 107(2)(c) and (c.1) of the Act, no person shall manufacture beverage alcohol unless he or she holds a manufacturer permit issued by the authority.

(4) **Repealed.** 26 May 2006 SR 44/2006 s2.

10 Jan 2003 cA-18.011 Reg 1 s17; 26 May 2006
SR 44/2006 s2; 27 Mar 2009 SR 20/2009 s17.

Manufacturer permit for brew pub premises

18(1) The authority shall not issue a manufacturer permit with respect to a brew pub premises unless:

- (a) in the authority's opinion, the location and construction of the premises and the equipment at the premises are suitable for the purpose of manufacturing beer;
- (b) the fermentation, maturation and dispensing tanks have a minimum capacity of:
 - (i) in the case of premises located in the City of Saskatoon, Regina, Prince Albert or Moose Jaw, eight hectolitres; and
 - (ii) in the case of premises located elsewhere, two hectolitres; and
- (c) in the authority's opinion, proper metering devices are attached to the brewing equipment to monitor and record the total amount of beer manufactured for sale in the brew pub premises.

(2) A holder of a manufacturer permit respecting a brew pub premises shall ensure that:

- (a) the beer manufactured pursuant to the permit:
 - (i) is manufactured at the brew pub premises specified in the permit;
 - (ii) is manufactured in accordance with the standards established pursuant to the *Food and Drug Act* (Canada), the regulations made pursuant to that Act and any other law; and
 - (iii) meets the authority's standards with respect to quality;
- (b) the amount of beer manufactured for sale in a year is:
 - (i) in the case of premises located in the City of Saskatoon, Regina, Prince Albert or Moose Jaw, not less than 100 hectolitres and not more than 2 000 hectolitres; and
 - (ii) in the case of premises located elsewhere, not less than 30 hectolitres and not more than 2 000 hectolitres; and
- (c) the conditions described in subsection (1) are complied with.

(3) A holder of a manufacturer permit with respect to brew pub premises shall maintain records satisfactory to the authority and submit monthly reports to the authority showing:

- (a) the total amount of beer manufactured for sale in the brew pub premises; and
- (b) any other particulars that may be required by the authority.

10 Jan 2003 cA-18.011 Reg 1 s18; 27 Mar 2009
SR 20/2009 s18.

Importation of beer

19 The authority may authorize a brewer who is the holder of a manufacturer permit to import beer into Saskatchewan if:

- (a) the beer is manufactured by the manufacturer; and
- (b) the requirements of section 3 of the *Importation of Intoxicating Liquors Act* (Canada) are complied with.

10 Jan 2003 cA-18.011 Reg 1 s19.

Hospitality suite

20(1) The holder of a manufacturer permit who operates a hospitality suite on the manufacturer's permitted premises:

- (a) may, without charge, offer beverage alcohol manufactured on the permitted premises to guests in the hospitality suite;
- (b) may operate the hospitality suite during the hours and days that a permittee may lawfully sell beverage alcohol pursuant to section 41;

- (c) shall not allow minors in the hospitality suite; and
 - (d) shall not allow more than 125 persons as guests at any one time in the hospitality suite.
- (2) The holder of a manufacturer permit with respect to a brew pub premises shall not operate a hospitality suite on the permitted premises.

27 Mar 2009 SR 20/2009 s19.

PART VI Special Occasion Permits

Special occasion permits

21(1) The authority may issue a special occasion permit respecting any premises or area where a special occasion is to be held authorizing the permittee:

- (a) to serve beverage alcohol without charge;
 - (b) to sell beverage alcohol at prices sufficient only to recover the purchase price of the beverage alcohol, as specified by the authority; or
 - (c) to sell beverage alcohol at prices set by the permittee for the special occasion.
- (2) The holder of a special occasion permit:
- (a) may store beverage alcohol in the premises or area with respect to which the permit was issued;
 - (b) shall stop serving or selling beverage alcohol not less than one-half hour prior to the expiration of the permit, or any period specified in the permit, in order to permit persons who have been served beverage alcohol to finish it; and
 - (c) shall ensure that:
 - (i) only those kinds and quantities of beverage alcohol that the permittee is authorized to sell or serve at the special occasion are sold or served; and
 - (ii) the number of persons in the premises or area with respect to which the permit is issued does not exceed the capacity of the premises or area endorsed on the permit.

10 Jan 2003 cA-18.011 Reg 1 s21.

Days and hours of operation

22(1) No person who holds a special occasion permit shall sell, serve or permit the sale or serving of beverage alcohol except on the day or days and during the hours determined by the authority for the sale or service of beverage alcohol pursuant to the permit.

- (2) No special occasion permit shall be issued to be in effect before 9:30 a.m. unless the permit contains an endorsement of the authority allowing the permittee to sell or serve beverage alcohol before that time.
- (3) Every special occasion permit expires:
- (a) subject to clause (b), not later than 2:30 a.m. on the day following the day with respect to which the permit was issued, unless the permit contains an endorsement of the authority allowing the permittee to sell or serve beverage alcohol after 2:30 a.m.; and
 - (b) not later than 3:00 a.m. on January 1, in the case of a permit issued for December 31.
- (4) Subject to subsection (5) and section 23, no special occasion permit is to be in effect for more than 12 hours during any 24-hour period.
- (5) The authority may endorse a special occasion permit to be in effect for a period not exceeding 19 hours in any 24-hour period.

10 Jan 2003 cA-18.011 Reg 1 s22; 27 Mar 2009
SR 20/2009 s20.

Regular meetings and functions

- 23(1)** The authority may issue a special occasion permit for a period not exceeding one year respecting regular meetings of an association or other organization and with respect to which the applicant would be entitled to apply for and receive a separate special occasion permit, if:
- (a) there is no more than one meeting per week during the period that the permit is in effect;
 - (b) arrangements satisfactory to the authority have been made to secure any beverage alcohol not consumed:
 - (i) at a meeting; and
 - (ii) that is intended to be served at the next regularly scheduled meeting; and
 - (c) no meeting is longer than six hours.
- (2) The authority may issue a special occasion permit for a period not exceeding one year respecting regular social functions of an association or other organization and with respect to which the applicant would be entitled to apply for and receive a separate special occasion permit, if:
- (a) a majority of the members of the association or other organization are 55 years of age or more;
 - (b) there is no more than one social function a week during the period that the permit is in effect; and

(c) arrangements satisfactory to the authority have been made to secure any beverage alcohol not consumed:

- (i) at the social function; and
- (ii) that is intended to be served at the next regularly scheduled social function.

10 Jan 2003 cA-18.011 Reg 1 s23.

24 Repealed. 27 Mar 2009 SR 20/2009 s21.

Special occasion permit requirements

25(1) An application for a special occasion permit must be made at least 10 days before the date of the special occasion, or within any shorter period that the authority may allow.

(2) The applicant for a special occasion permit must make arrangements satisfactory to the authority for compliance with *The Liquor Consumption Tax Act*.

(3) The holder of a special occasion permit may purchase beverage alcohol from the authority, a franchise or a permittee whose permit is endorsed pursuant to clause 33(1)(b), (c) or (e).

27 Mar 2009 SR 20/2009 s22.

Restrictions on issuing special occasions permits

26(1) The authority shall not issue a special occasion permit pursuant to clause 21(1)(c) to an individual.

(2) The authority may refuse to issue a special occasion permit pursuant to clause 21(1)(c) to any organization that the authority considers inappropriate.

(3) Notwithstanding subsection (1), the authority may issue a special occasion permit to an individual pursuant to clause 21(1)(c) if the beverage alcohol for the special occasion will be supplied by the holder of a restaurant permit, tavern permit or special use permit respecting a club premises endorsed pursuant to section 9, 15 or 16.1.

10 Jan 2003 cA-18.011 Reg 1 s26; 27 Mar 2009 SR 20/2009 s23.

Minors re special occasion permits

27 No holder of a special occasion permit shall allow minors in the premises or area with respect to which the special occasion permit is issued:

- (a) unless the permit is issued pursuant to clause 21(1)(a) or (b); or
- (b) unless:
 - (i) the applicant has requested that minors be allowed on the premises;
 - (ii) the authority has authorized minors to be allowed on the premises and that authorization is endorsed on the permit; and
 - (iii) if the permit is issued to an organization or to a person other than an individual, the minor is accompanied by his or her parent, legal guardian or spouse, if that spouse is not a minor, unless the authority has waived that requirement and the waiver is endorsed on the permit.

10 Jan 2003 cA-18.011 Reg 1 s27.

Special occasion permits re outdoor premises

28 No special occasion permit shall be issued respecting any premises or area that is, in whole or in part, located outside of a building unless:

- (a) the location of the premises or area is clearly defined and it is capable of being isolated in order to prevent access by the public;
- (b) the council of the municipality in which the premises or area is situated has approved of the application for the permit; and
- (c) the application is submitted to the head office of the authority.

10 Jan 2003 cA-18.011 Reg 1 s28; 27 Mar 2009
SR 20/2009 s24.

Restriction re special occasion permit

29 Every person who is issued a special occasion permit shall ensure that only the beverage alcohol that has been purchased lawfully from the authority, a franchise or a permittee and that has been properly recorded on the permit is served or sold to persons attending the special occasion.

10 Jan 2003 cA-18.011 Reg 1 s29.

PART VII

Interim and Provisional Permits

Permits on an interim basis

30(1) The authority may issue a permit on an interim basis pending:

- (a) the completion of alterations to any premises if those alterations are required by the authority;
 - (b) the applicant's compliance with the provisions of these regulations relating to the type of permit applied for; or
 - (c) the disposition of the application for the permit applied for.
- (2) No permit shall be issued on an interim basis for a period of more than six months.

10 Jan 2003 cA-18.011 Reg 1 s30.

Permits on a provisional basis

31(1) After an applicant files with the authority plans and specifications showing the location, layout and construction or reconstruction of the proposed permitted premises, the authority may issue a permit on a provisional basis pending the issuance of a permit on a non-provisional basis.

(2) If, in the authority's opinion, the layout and construction or reconstruction of the premises does not comply with the plans and specifications filed pursuant to subsection (1), the authority, subject to the Act, may suspend or cancel the permit.

(3) A permit issued pursuant to subsection (1) does not authorize the permittee to sell beverage alcohol of any type until the authority gives:

(a) final approval of the construction or reconstruction of the permitted premises; and

(b) written authorization to the permittee to sell beverage alcohol.

(4) If the authority receives an application for a permit pursuant to clause 12(1)(a), (b), (c) or (d), before providing approval for a provisional permit, the authority shall consider, in addition to any relevant considerations submitted by the applicant, the suitability of the location, the operation and management of the premises and the type of business that the permit will authorize.

10 Jan 2003 cA-18.011 Reg 1 s31; 27 Mar 2009
SR 20/2009 s25.

PART VIII

Endorsements

Endorsement re sale from patio

32(1) The authority may endorse a permit to authorize the permittee to sell beverage alcohol for consumption on a patio that, in the authority's opinion, is adjacent and suitably connected to the permitted premises.

(2) If the authority endorses a permit pursuant to subsection (1), the permittee shall ensure that no beverage alcohol is sold to persons on the patio other than that which the permittee is authorized to sell in the permitted premises.

27 Mar 2009 SR 20/2009 s26.

Endorsements re sale of alcohol in closed containers

33(1) The authority, in its sole discretion, may make endorsements permitting the sale, in closed containers of the type and quantity contained in the endorsement for consumption off the permitted premises, of:

(a) wine by a permittee who has been issued a restaurant permit, but only to a customer who has just consumed a meal in the permitted premises;

(b) beverage alcohol by a permittee who has been issued a tavern permit other than a tavern permit issued respecting a nightclub or brew pub premises;

(c) beer manufactured by the permittee in the brew pub premises and any beverage alcohol by a permittee who has been issued a tavern permit respecting a brew pub premises;

(d) beverage alcohol by a permittee who has been issued a special use permit respecting a camp described in clause 16(1)(i); or

(e) beer manufactured in the brew pub premises by a permittee who has been granted a tavern permit respecting the brew pub premises.

(2) If an endorsement is made pursuant to clause (1)(c), the permittee shall ensure that at least one type of beer manufactured and sold in the brew pub premises is offered for sale in closed containers for consumption off the permitted premises.

(3) If the authority receives an application for an endorsement pursuant to subsection (1), the authority, in addition to any relevant considerations submitted by the applicant, shall consider the suitability of the location, the operation and management of the permitted premises and the type of business that the endorsement will authorize.

10 Jan 2003 cA-18.011 Reg 1 s33; 27 Mar 2009
SR 20/2009 s27.

Limitation of number of endorsements

34(1) Except for endorsements made pursuant to clause 33(1)(a) or (e), the maximum number of endorsements that the authority may make pursuant to subsection 33(1) for each municipality of a specified population is set out in Table 1 of Appendix A.

(2) Notwithstanding subsection (1), if a decrease in population of a municipality results in a decrease in the maximum number of endorsements that the authority may make as set out in Table 1 of Appendix A, the authority may, in its sole discretion, make the number of endorsements as though the population had not decreased.

(3) Notwithstanding subsection (1), the authority, in its sole discretion, may make an endorsement pursuant to clause 33(1)(b) or (c) that exceeds the maximum number of endorsements that the authority may make for each rural municipality of a specified population if:

(a) a permittee of a permitted premises applying for the endorsement pursuant to clause 33(1)(b) or (c) had an existing permit with an off-sale endorsement on July 19, 2000; or

(b) an applicant has acquired permitted premises that have an off-sale endorsement mentioned in clause (a).

(4) Subsections (1) and (2) do not apply to the following municipalities:

(a) Regina;

(b) Saskatoon;

(c) Prince Albert;

(d) Moose Jaw.

10 Jan 2003 cA-18.011 Reg 1 s34; 27 Mar 2009
SR 20/2009 s28.

Limitation of number of endorsements in the Northern Saskatchewan Administration District

34.1(1) Notwithstanding section 34 but subject to subsection (2), the authority shall only make an endorsement pursuant to clause 33(1)(b) or (c) with respect to permitted premises in the Northern Saskatchewan Administration District if the permitted premises is situated at least 40 kilometres by road from:

- (a) the nearest permitted premises with an endorsement issued pursuant to clause 33(1)(b) or (c);
- (b) the nearest store; or
- (c) the nearest franchise.

(2) Subsection (1) does not apply to any renewal of an endorsement made pursuant to clause 33(1)(b) or (c) in the Northern Saskatchewan Administration District, where the endorsement was made before April 1, 2009.

27 Mar 2009 SR 20/2009 s29.

Permittees may sell beverage alcohol

35(1) Notwithstanding any other provision of these regulations, a permittee whose permit is endorsed pursuant to clause 33(1)(b), (c) or (e) may sell beer, wine and coolers to:

- (a) a holder of a special occasion permit;
- (b) a holder of a permit issued pursuant to subsection 16(1)(b) if the permittee's primary purpose with respect to the permitted premises is to operate a golf course or curling rink; or
- (c) a holder of a home delivery special use permit issued pursuant to clause 16(1)(n).

(2) A permittee who sells beer, wine or coolers to a permittee mentioned in clause (1)(b) shall keep a record of each sale setting out:

- (a) the permittee's name;
- (b) the permittee's liquor consumption tax number; and
- (c) the type and quantity of the beverage alcohol sold.

(3) Every permittee shall keep the records mentioned in subsection (2) for at least six years after the date of the sale.

10 Jan 2003 cA-18.011 Reg 1 s35; 27 Mar 2009
SR 20/2009 s30.

Non-alcoholic beverages or food to be made available

36(1) Every holder of a permit, other than a manufacturer permit or a home delivery special use permit, shall maintain at the location of the special occasion or in the permitted premises, and in any lounge, patio or banquet room of the permitted premises with respect to which an endorsement has been made, a supply of non-alcoholic beverages for sale or provision to customers for consumption in the premises.

(2) Every holder of a permit, other than a manufacturer permit or a special use permit issued pursuant to clause 16(1)(c), (d) or (n), shall maintain at the location of the special occasion or in the permitted premises, and in any lounge, patio or banquet room of the permitted premises with respect to which an endorsement has been made, a supply of food for sale or provision to customers for consumption in the premises.

27 Mar 2009 SR 20/2009 s31.

Minors in permitted premises

37 The authority may endorse any permit or class of permits to allow minors to be present in the permitted premises.

10 Jan 2003 cA-18.011 Reg 1 s37.

Presence of persons in permitted premises

38(1) Subject to subsections (2) to (4), persons may be present in any permitted premises between the hours of 3:00 a.m. and 9:30 a.m. of the same day other than:

- (a) premises situated in a hotel or motel;
- (b) a brew pub premises;
- (c) a nightclub;
- (d) premises described in clause 12(1)(d); and
- (e) premises described in clause 12(1)(e).

(2) Persons may be present in any permitted premises between the hours of 3:30 a.m. and 9:30 a.m. on January 1 other than:

- (a) premises situated in a hotel or motel;
- (b) a brew pub premises;
- (c) a nightclub;
- (d) premises described in clause 12(1)(d); and
- (e) premises described in clause 12(1)(e).

(3) Persons may be present in any permitted premises situated in a hotel or motel or in any permitted premises described in clause 12(1)(d):

(a) between the hours of 5:00 a.m. and 9:30 a.m. on any day except Sunday; and

(b) between the hours of 5:00 a.m. and 12:00 noon on Sundays.

(4) Persons may be present between the hours of 3:00 a.m. and 9:30 a.m. in premises situated in a hotel, motel, brew pub or nightclub if the permittee has received prior written approval from the authority.

10 Jan 2003 cA-18.011 Reg 1 s38; 27 Mar 2009
SR 20/2009 s32.

Limitations

39 The authority, in its sole discretion, may limit or prohibit any type or types of beverage alcohol or limit the quantities of beverage alcohol that any permittee or class of permittees may sell, deliver or provide pursuant to a permit, class of permits, endorsement or class of endorsements.

10 Jan 2003 cA-18.011 Reg 1 s39.

Duration of permits

40 Every permit, other than a special occasion permit or a permit issued on an interim basis or a provisional basis, expires one year from the date it is issued unless it is issued for less than a year.

10 Jan 2003 cA-18.011 Reg 1 s40.

PART IX Hours of Operation, etc.

General hours of operation

41 Subject to the other provisions of these regulations, every permittee may:

(a) open the permitted premises for the sale of beverage alcohol on every day; and

(b) except in the permitted premises for which a permit is held pursuant to clause 12(1)(c), sell beverage alcohol in the permitted premises between:

(i) 9:30 a.m. and 2:00 a.m. of the following day on any day except Sunday;

(ii) 12:00 noon and 2:00 a.m. of the following day on Sundays, Good Friday, Christmas Day, and Remembrance Day; and

(iii) 9:30 a.m. and 2:30 a.m. of the following day on December 31.

27 Mar 2009 SR 20/2009 s33.

42 Repealed. 27 Mar 2009 SR 20/2009 s34.

Off-sale endorsements

43(1) The holder of a tavern permit with an off-sale endorsement shall open the permitted premises for at least six hours each day for at least five days in each calendar week during the hours and days that a permittee may lawfully sell beverage alcohol pursuant to section 41.

(2) A permittee whose permit is endorsed to authorize the sale of beverage alcohol for consumption off the permitted premises may sell that beverage alcohol for consumption off the permitted premises:

- (a) during any hours and on any day that the permittee may lawfully sell beverage alcohol in the permitted premises; and
- (b) during the period mentioned in section 44.

(3) Notwithstanding any other provision in these regulations, no holder of a tavern permit whose permit is endorsed to authorize the sale of beverage alcohol for consumption off the permitted premises shall sell that beverage alcohol before 12:00 noon on Good Friday, Remembrance Day or Christmas Day.

10 Jan 2003 cA-18.011 Reg 1 s43; 27 Mar 2009
SR 20/2009 s35.

Grace period

44 Every permittee other than the holder of a special occasion permit shall ensure that the permitted premises remain open for a period of at least one-half hour, but not longer than one hour, after the time at which the lawful sale of beverage alcohol has ceased to allow persons who have been served beverage alcohol to finish their beverage.

10 Jan 2003 cA-18.011 Reg 1 s44.

Opening of permitted premises

45(1) The holder of a tavern permit issued respecting premises described in clause 12(1)(a) or (d) may open the permitted premises:

- (a) between the hours of 5:00 a.m. and 9:30 a.m. on any day except Sunday, Good Friday, Christmas Day and Remembrance Day; and
 - (b) between the hours of 5:00 a.m. and 12:00 noon on Sundays, Good Friday, Christmas Day and Remembrance Day.
- (2) The holder of a restaurant permit, other than a permit endorsed pursuant to section 11, may open the permitted premises:
- (a) between the hours of 3:00 a.m. and 9:30 a.m. on any day except Sunday; and
 - (b) between the hours of 3:00 a.m. and 12:00 noon on Sundays.

(3) Nothing in subsections (1) and (2) authorizes the permittees mentioned in those subsections to sell, serve or permit the consumption of beverage alcohol in or from the permitted premises during the hours mentioned in those subsections.

(4) Notwithstanding subsection (2), if the holder of a restaurant permit endorsed pursuant to section 11 has received prior written approval from the authority, the holder may open the permitted premises:

(a) between the hours of 3:00 a.m. and 9:30 a.m. on any day except Sunday; and

(b) between the hours of 3:00 a.m. and 12:00 noon on Sundays.

10 Jan 2003 cA-18.011 Reg 1 s45; 27 Mar 2009
SR 20/2009 s36.

PART X Other Permits

Medical use permit restrictions

46(1) No permittee who has been issued a medical use permit pursuant to section 77 of the Act shall have more than 1.14 litres of beverage alcohol on the premises that are used in the practice of his or her profession.

(2) Every permittee described in subsection (1) shall ensure that the container used to hold the beverage alcohol mentioned in that subsection is clearly labelled "for medical purposes only".

10 Jan 2003 cA-18.011 Reg 1 s46.

Medical use permits re pharmacists

47(1) Notwithstanding subsection 46(1), a pharmacist holding a valid medical use permit issued pursuant to section 77 of the Act may have up to 40 litres of beverage alcohol on the premises that are used in the practice of his or her profession.

(2) Every permittee mentioned in subsection (1) shall ensure that any container used to hold the beverage alcohol mentioned in that subsection is clearly labelled "for medical purposes only".

10 Jan 2003 cA-18.011 Reg 1 s47.

Non-consumptive use permits

48 Every permittee who has been issued a non-consumptive use permit pursuant to section 83 of the Act shall ensure that any container used to hold the beverage alcohol in his or her possession is clearly labelled "not for human consumption - for industrial purposes only".

10 Jan 2003 cA-18.011 Reg 1 s48.

Beverage alcohol re educational purposes

49 Every governing authority of an educational institution that purchases beverage alcohol from the authority pursuant to section 84 of the Act shall ensure that any container used to hold that alcohol while it is in the institution's possession is clearly labelled "not for human consumption – for educational purposes only".

10 Jan 2003 cA-18.011 Reg 1 s49.

Beverage alcohol re sacramental purposes

50(1) No permittee who has been issued a permit pursuant to section 86 of the Act shall sell, ship or deliver wine except pursuant to a written order from a person lawfully entitled to purchase that wine.

(2) Every permittee who has been issued a permit pursuant to section 86 of the Act and who sells or delivers wine to any person shall maintain a record of:

- (a) the quantities of wine sold and delivered; and
- (b) the persons to whom the wine was sold and delivered.

10 Jan 2003 cA-18.011 Reg 1 s50.

PART XI General Provisions

Applications and supporting materials

51(1) In this section:

"outlet" means any place or area with respect to which an application for a permit is made; (« *débit* »)

"premises" means the premises in which a proposed outlet is to be located. (« *lieu* »)

(2) Every applicant for a permit, other than a special occasion permit, shall:

(a) provide evidence of the applicant's right to possession of the premises that is satisfactory to the authority; and

(b) if required by the authority, include the following particulars with the application:

(i) layout plans of the outlet in quadruplicate and to scale clearly showing the floor plan and physical arrangements for:

- (A) washrooms;
- (B) storage;
- (C) preparation and serving of foodstuffs and beverage alcohol; and
- (D) any other particulars of the premises and the property in or used in connection with the premises that the authority may require; and

(ii) in the case of an applicant other than an individual and if required by the authority, the names of all:

- (A) partners of a partnership;
- (B) shareholders of a corporation; or
- (C) members of a co-operative or non-profit corporation.

(3) On an application for a restaurant, tavern or special use permit, the authority may require the applicant to post a notice of the application on the proposed premises if the premises have not been the subject of a permit for at least 60 consecutive days as at the date of application.

(4) The notice required pursuant to subsection (3) shall:

- (a) be posted in a conspicuous place on the proposed premises for two consecutive weeks;
- (b) be in a form acceptable to the authority;
- (c) identify the type of permit applied for;
- (d) specify the date on which the notice was first posted; and
- (e) specify that any objection to the granting of the permit must be submitted, in writing, to the authority not more than two weeks after the date specified pursuant to clause (d).

10 Jan 2003 cA-18.011 Reg 1 s51; 27 Mar 2009
SR 20/2009 s37.

Application for endorsements

52 Nothing in these regulations prevents a person from applying for a permit and an endorsement at the same time.

10 Jan 2003 cA-18.011 Reg 1 s52.

Application fees

53(1) Every applicant for a permit mentioned in section 3, other than a special occasion permit, shall pay an application fee of \$200.

(2) Subject to subsection (3), every applicant for a permit shall pay the applicable fee for the permit set out in Table 2 or 3 of Appendix A.

(3) Every applicant for a permit pursuant to section 77, 83, 85, 86 or 87 of the Act shall pay the applicable fee for the permit set out in Table 4 of Appendix A.

(4) Every applicant for an endorsement shall pay the applicable fee for the endorsement set out in Table 5 of Appendix A.

(5) Every applicant for a transfer of a permit pursuant to section 69.1 of the Act shall pay an application fee of \$50.

(6) If the authority cancels a permit issued pursuant to these regulations or a licence issued prior to the coming into force of these regulations, the authority may, in its discretion, refund any prorated amount it considers appropriate.

10 Jan 2003 cA-18.011 Reg 1 s53.

Transfer of permit – when allowed

54 The authority may authorize the transfer of a permit in accordance with section 69.1 of the Act in any of the following circumstances:

- (a) if a partner withdraws from a partnership that was a permittee and the remaining partners apply for a transfer of the permit;
- (b) if the permittee is a sole proprietor who:
 - (i) establishes a corporation in which he or she is the sole officer, director and shareholder; and
 - (ii) applies to the authority for a transfer of the permit to the corporation;
- (c) if the permittee is composed of persons in a partnership who:
 - (i) establish a corporation in which they are the sole officers, directors and shareholders; and
 - (ii) apply to the authority for a transfer of the permit to the corporation;
- (d) if the permittee is a corporation, the officers, directors and shareholders of which:
 - (i) establish a new corporation in which they are the sole officers, directors and shareholders; and
 - (ii) apply to the authority for a transfer of the permit to the new corporation;
- (e) if the permittee is a corporation, the sole officer, director and shareholder of which:
 - (i) becomes a sole proprietor; and
 - (ii) applies to the authority for a transfer of the permit from the corporation;
- (f) if the permittee is a corporation, the officers, directors and shareholders of which:
 - (i) form a partnership; and
 - (ii) apply to the authority for a transfer of the permit to the partnership;
- (g) if a trustee in bankruptcy or a court-appointed receiver:
 - (i) acquires the business of a permittee as trustee in bankruptcy or as court-appointed receiver; and
 - (ii) in that capacity, applies to the authority for a transfer of the permit from the permittee;
- (h) if a mortgagee, franchisor or lessor:
 - (i) takes lawful possession of the permitted premises; and
 - (ii) applies to the authority for a transfer of the permit from the mortgagor, franchisee or lessee, as the case may be.

Sale of beer manufactured outside Saskatchewan

55 If the authority has purchased beer that has been manufactured in Canada but outside Saskatchewan by a brewer who is a permittee, the authority may authorize the brewer to sell and deliver the beer on behalf of the authority to any permittee:

- (a) specified by the authority; and
- (b) subject to the terms imposed by the authority.

10 Jan 2003 cA-18.011 Reg 1 s55.

Samples of beverage alcohol

56(1) Subject to subsection (2), the authority may authorize a person to provide samples of beverage alcohol to persons other than minors if:

- (a) each individual sample does not exceed:
 - (i) in the case of spirits, one-half ounce or 14.25 millilitres;
 - (ii) in the case of wine, two ounces or 57 millilitres; and
 - (iii) in the case of beer or coolers, four ounces or 114 millilitres; and
- (b) tasting of samples takes place in:
 - (i) a store;
 - (ii) a franchise;
 - (iii) special use permitted premises with a trade show endorsement; or
 - (iv) premises approved by the authority for the sale and consumption of beverage alcohol under a special occasion permit.

(2) Subsection (1) does not apply to sampling of beverage alcohol at a u-brew or u-vin operation conducted pursuant to section 16.5.

27 Mar 2009 SR 20/2009 s38.

57 Repealed. 27 Mar 2009 SR 20/2009 s39.

How beverage alcohol is to be served

58(1) Every permittee who is issued a permit shall ensure that:

- (a) each single-serving drink containing spirits sold or served by the permittee contains one ounce or 28.5 millilitres of spirits in the same form in which it was purchased from the authority;
- (b) at the request of a customer, a drink served by the permittee is served with a separate vessel for each of the following:
 - (i) beverage alcohol;
 - (ii) mix;
 - (iii) ice;

- (c) all beverage alcohol dispensed by the permittee is dispensed from the original container in which it was purchased from the authority; and
- (d) all spirits contained in a drink served by the permittee are measured by means of:
 - (i) a glass clearly marked with a line at the level at which the amount of spirits to be contained in the drink will be measured; or
 - (ii) a mechanical or electronic measuring device.
- (2) Coolers may be sold by full bottles.
- (3) Every person who is authorized by the authority to provide samples of beverage alcohol shall ensure that:
 - (a) subject to clause (b), each sample sold or served does not exceed the amount of beverage alcohol specified in subsection 56(1); or
 - (b) in the case of a u-brew or u-vin operation, in accordance with section 16.5 no sample exceeds the sample size or maximum number of samples per batch of beverage alcohol manufactured.

10 Jan 2003 cA-18.011 Reg 1 s58; 27 Mar 2009
SR 20/2009 s40.

Importation limits

59 For the purposes of clause 107(2)(e) of the Act, the maximum quantity of beverage alcohol purchased or acquired in any part of Canada other than Saskatchewan that a person may bring into Saskatchewan is:

- (a) in the case of spirits, 1.14 litres;
- (b) in the case of wine, 1.14 litres; and
- (c) in the case of beer, coolers or any combination of beer and coolers, nine litres.

10 Jan 2003 cA-18.011 Reg 1 s59.

60 Repealed. 27 Mar 2009 SR 20/2009 s40.

61 Repealed. 27 Mar 2009 SR 20/2009 s41.

Authority may act as agent

62 For the purposes of subsection 135(1) of the Act, the authority may do any or all of the following:

- (a) canvass for, reserve, take or solicit orders for the sale or purchase of beverage alcohol;
- (b) act or hold itself out as agent or intermediary for the sale or purchase of beverage alcohol.

10 Jan 2003 cA-18.011 Reg 1 s62.

Prohibited entertainment

63(1) It is a term of every permit that no permittee shall permit or allow in the permitted premises or premises for which a special occasion permit has been granted:

- (a) any nude activity or entertainment; or
- (b) any activity or entertainment that consists of a striptease performance or wet clothing contest.

(2) Section 139 of the Act does not apply to a permittee who contravenes subsection (1).

10 Jan 2003 cA-18.011 Reg 1 s63; 27 Mar 2009
SR 20/2009 s43.

Forms

64(1) An application for review pursuant to sections 30 and 31 of the Act is to be substantially in Form A of Appendix B.

(2) An application for an oral hearing pursuant to section 33 or 39.1 of the Act is to be substantially in Form B of Appendix B.

(3) The notice to be published by the authority on the receipt of an application for a permit pursuant to section 49 of the Act is to be substantially in Form C of Appendix B.

10 Jan 2003 cA-18.011 Reg 1 s64.

Restocking fees

65 Pursuant to subsection 65(2) of the Act, the authority may assess a restocking fee equal to 10% of the current listing price of any products returned to the authority.

10 Jan 2003 cA-18.011 Reg 1 s65.

Duty-free liquor stores

66 If the authority establishes and operates, or authorizes any person to establish and operate, a duty-free store pursuant to section 102 of the Act, that store may remain open at any time to permit persons who are leaving Canada from the point where the store is located to purchase duty-free alcohol.

10 Jan 2003 cA-18.011 Reg 1 s66.

Grounds for objection not requiring commission hearing

67 For the purposes of subsection 26(1.1) of the Act, the commission shall not hold an oral hearing if a person has filed an objection pursuant to subsection 49(3) of the Act and the grounds for the objection are based on competition issues within the beverage alcohol industry.

10 Jan 2003 cA-18.011 Reg 1 s67.

Grounds for objection not requiring person to be heard

68 For the purposes of subsection 29(3) of the Act, a person who has filed an objection pursuant to subsection 63(1) of the Act shall not be given an opportunity to be heard or make written representations at an oral hearing if the grounds for the objection are based on competition issues within the beverage alcohol industry.

10 Jan 2003 cA-18.011 Reg 1 s68.

Grounds for objection not requiring person to receive notice of hearing

69 For the purposes of subsection 63(6) of the Act, a person who has filed an objection pursuant to subsection 63(1) of the Act shall not be provided with written notice respecting a hearing if the grounds for the objection are based on competition issues within the beverage alcohol industry.

10 Jan 2003 cA-18.011 Reg 1 s69.

Reviewable endorsements

70 An endorsement made pursuant to clause 33(1)(b) or (c) is prescribed, for the purposes of the definition of “**reviewable endorsement**” in section 2 of the Act, as a reviewable endorsement.

10 Jan 2003 cA-18.011 Reg 1 s70.

Administrative penalties

71(1) For the purposes of section 39.1 of the Act, any penalty assessed by the authority or the commission against a permittee must be within the limits set out in Table 6.

(2) If a penalty is to be assessed by the authority or the commission against a permittee for which no limits are set out in Table 6, the penalty must be not less than \$500 and not more than \$10,000.

10 Jan 2003 cA-18.011 Reg 1 s71; 27 Mar 2009
SR 20/2009 s44.

PART XII**Transitional, Repeal and Coming Into Force****Transitional**

72 The holder of a Class “A”, Class “B” or Class “C” licence issued prior to January 20, 1995, and which is in force on the day before the coming into force of these regulations, shall continue to enjoy the same powers and privileges, and shall be subject to the same duties and responsibilities, respecting the sale and delivery of beverage alcohol and the conduct of the licensed premises as the holder enjoyed and was subject to prior to that date.

10 Jan 2003 cA-18.011 Reg 1 s72.

R.R.S. c.A-18.01 Reg 3 repealed

73 *The Alcohol Control Regulations, 1994* are repealed.

10 Jan 2003 cA-18.011 Reg 1 s73.

R.R.S. c.L-18 Reg 1 repealed

74 *The Liquor (Certificate of Analysis) Regulations* are repealed.

10 Jan 2003 cA-18.011 Reg 1 s74.

R.R.S. c.L-18 Reg 2 repealed

75 *The Duty-free Liquor Stores Regulations* are repealed.

10 Jan 2003 cA-18.011 Reg 1 s75.

Coming into force

76(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Alcohol and Gaming Regulation Act, 1997* comes into force.

(2) If these regulations are filed with the Registrar of Regulations after the day on which section 1 of *The Alcohol and Gaming Regulation Act, 1997* comes into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

10 Jan 2003 cA-18.011 Reg 1 s76.

Appendix A

Appendix A

TABLE 1 [Subsection 34(1)] Off-sale Endorsements	
<i>Population of Municipality</i>	<i>Maximum Number of Endorsements</i>
up to 2 500	1
2 501 – 5 000	2
5 001 – 10 000	3
10 001 – 15 000	4
15 001 – 20 000	5
20 001 – 25 000	6
25 001 – 30 000	7

TABLE 2 [Subsection 53(2)] General Permit Fees					
<i>Item</i>	<i>Type of Permit</i>	<i>City</i>	<i>Town</i>	<i>Village</i>	<i>Hamlet</i>
1	Restaurant	\$250	\$175	\$125	\$ 75
2	Tavern, other than Nightclub	200	150	100	50
3	Tavern, Nightclub	600	250	250	250
4	Special Use	200	150	100	50
5	Manufacturer	500	500	500	500
6	Interim/Provisional	100	100	100	100
7	U-brew or u-vin operation	200	150	100	50

TABLE 3 [Subsection 53(2)] Special Occasion Permit Fees		
<i>Item</i>	<i>Type of Permit</i>	<i>Fee</i>
1	Special occasion – sale of beverage alcohol – sale for cost recovery only	\$ 25 15
2	Special occasion – non-sale	15
3	Special occasion – for an extended period pursuant to subsection 22(5)	15
4	Special occasion – for an extended period respecting meetings pursuant to subsection 23(1) or social functions pursuant to subsection 23(2) – sale – non-sale	100 50

TABLE 4 [Subsection 53(3)] Miscellaneous Permit Fees		
<i>Item</i>	<i>Type of Permit</i>	<i>Fee</i>
1	Permit to pharmacist, physician, dentist or veterinarian	\$ 5
2	Permit to a person engaged in a mechanical or manufacturing business or in a scientific pursuit	5
3	Permit to an educational institution for bartending or mixology courses	5
4	Permit to a person engaged in the business of selling church supplies	10
5	Competition permit – homemade wine or beer	10

TABLE 5 [Subsection 53(4)] Endorsement Fees					
<i>Item</i>	<i>Type of Endorsement</i>	<i>City</i>	<i>Town</i>	<i>Village</i>	<i>Hamlet</i>
1	Sale of beverage alcohol in adjacent area	\$350	\$250	\$175	\$100
2	Endorsement pursuant to section 9 or 15 for the delivery and sale of beverage alcohol for consumption at location for which a special occasion permit has been granted	250	100	100	100
3	Sale of beverage alcohol for consumption off permitted premises	100	75	50	25
4	Nightclub endorsement to restaurant permit	100	75	50	25
5	Sale of wine for consumption off restaurant premises	50	25	10	10

TABLE 6
[Subsection 71(1)]

Penalty Limits

The provisions set out in Column 3 are the provisions of the Act and these regulations that impose the prohibitions or requirements described in Column 2 on the holder of a permit. For the purposes of section 39.1 of the Act, the limits of a penalty that may be assessed by the authority or commission for failure to comply with those provisions are set out in Column 4.

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
Item Number	Contravention of term	Provision	Penalty Limits in Dollars
<i>Minors (under 19 years of age)</i>			
1	Selling or giving beverage alcohol to a minor	110(1) – Act	\$1,000 – 10,000
2	Selling or providing beverage alcohol to a person who is apparently a minor	129(1)(e) – Act	1,000 – 10,000
3	Failing to demand proof of age of a person in the premises where a minor: (a) is not entitled to be; or (b) may be entitled to be but the person is attempting to purchase beverage alcohol	111(1) – Act	500 – 10,000
4	Allowing minors in premises where the presence of minors is not authorized by the Act, regulations or terms of the permit	111(6) – Act	500 – 10,000
5	Allowing a minor to act in any way in the sale, handling or serving of beverage alcohol in the premises	113(1)(b) – Act	500 – 10,000
6	Allowing a minor to consume beverage alcohol in premises where the presence of minors is allowed	113(1)(c) – Act	1,000 – 10,000
<i>Over serving</i>			
7	Selling or supplying beverage alcohol to a person who appears intoxicated	125 – Act	1,000 – 10,000

<i>Overcrowding</i>			
8	Allowing the entry of persons into a premises to exceed the maximum number of persons allowed to be present in the premises	120 – Act	500 – 10,000
<i>Sale or consumption during prescribed hours or days</i>			
9	Selling beverage alcohol or allowing its consumption on the premises except during hours and days on which it may be lawfully served and consumed	71(1) – Act	500 – 10,000
10	Selling or supplying beverage alcohol during prohibited hours or days	129(1)(f) – Act	500 – 10,000
11	Failing to ensure that the premises remain open for at least one half-hour but not longer than one hour after the lawful sale of beverage alcohol has ceased	44 – Regulations	500 – 10,000
12	Failing to open the premises for the sale of beverage alcohol during prescribed hours or the minimum prescribed hours or days	43 – Regulations	500 – 10,000
13	Allowing persons to enter or remain in the premises when sale or consumption of beverage alcohol is prohibited	116 – Act	500 – 10,000
<i>Illegal purchase, possession or sale beverage alcohol</i>			
14	Purchasing beverage alcohol from sources other than the authority, franchise, or in the case of prescribed permittees, from permittees prescribed in the regulations	129(1)(a) – Act	500 – 10,000
15	Selling beverage alcohol not supplied by the authority	129(1)(c) – Act	500 – 10,000
16	Having on the premises beverage alcohol not supplied by the authority	129(1)(b) – Act	500 – 10,000
17	Selling beverage alcohol without holding a licence required pursuant to <i>The Liquor Consumption Tax Act</i>	4(4) – Regulations	500 – 10,000

<i>Entertainment</i>			
18	Permitting or allowing any entertainment, game, sports or other activity on the premises that is unlawful, detrimental to the orderly operation of the premises, prohibited by the municipality in which the premises are located, or prescribed in the regulations	128(1)(a), (b), (c) and (d) – Act	500 – 10,000
<i>Customer service</i>			
19	Holder of a restaurant permit serving beverage alcohol to a customer other than as part of a meal	10(1) – Regulations	500 – 10,000
20	Failing to ensure that the food to beverage alcohol sales value ratio in the premises is one dollar of food sales for each dollar of beverage alcohol sales	10(2) – Regulations	500 – 10,000
21	Failing to maintain a supply of non-alcoholic beverages or food for customers in the permitted premises and in any lounge, patio or banquet room of the permitted premises, or at the location of the special occasion	36 – Regulations	500 – 10,000
22	Adulterating or diluting beverage alcohol or offering adulterated or diluted beverage alcohol for sale	129(1)(d) – Act	500 – 10,000
23	Failing to ensure that each single-serving drink containing spirits sold or served contains one ounce or 28.5 ml of spirits in the same form purchased from the authority	58(1)(a) – Regulations	500 – 10,000

24	Failing to ensure that each sample of beverage alcohol is equal to or less than the prescribed amount	56(1) – Regulations	500 – 10,000
25	Failing to adhere to section 16.5 respecting the maximum number of samples or the maximum sample size	16.5 – Regulations	500 – 10,000
26	Allowing patrons to take and consume beverage alcohol off the premises	75(4) – Act	500 – 10,000
<i>Obstruction</i>			
27	Refusing to allow an officer access to the permittee's premises, books, records or other documents for the purpose of making an inspection	45(1) – Act	500 – 10,000

27 Mar 2009 SR 20/2009 s.45.

Appendix B**FORM A***[Sections 30 and 31 of the Act]***Application for Review of a Decision of the Authority****To: The Liquor and Gaming Licensing Commission**_____
(name of organization or individual)

requests a review of the authority's decision for the following reason(s):

☐

The applicant wishes to have an oral hearing before the commission;

OR☐The applicant does not wish to have an oral hearing before the commission
but will provide written submissions.

Contact Person: _____
Address: _____

Telephone No.: [Res.] _____ [Bus.] _____

Signature_____
Date

FOR OFFICE USE ONLY	
Date: _____	
Forwarded: _____	
Denied: _____	

FORM B
[Sections 33 or 39.1 of the Act]
Application for an Oral Hearing

To: The Liquor and Gaming Licensing Commission

(name of organization or individual)

requests an oral hearing for the following reason(s):

Contact Person: _____
Address: _____ _____ _____
Telephone No.: [Res.] _____ [Bus.] _____

Signature

Date

FOR OFFICE USE ONLY	
Date: _____	
Forwarded:	
Denied:	

FORM C
[Section 49 of the Act]
Notice for Publication

You are advised that _____ has applied to the Liquor and
(name of applicant)

Gaming Authority for a _____ permit with
(class of permit)

a _____ endorsement
(list only reviewable endorsements)

to sell beverage alcohol in premises located in _____
(city, town, village, hamlet, rural municipality
or northern municipality)

in the _____
(if hamlet, provide name of rural municipality or northern municipality, as the case may be).

The following is the correct legal description of the premises:

(describe the location of the premises giving the parcel number or the lot, block and plan number and, if applicable, the street address).

Dated at _____, Saskatchewan, this ____ day of _____, 20 ____.

Liquor and Gaming Authority

10 Jan 2003 cA-18.011 Reg 1.

Règlement de 2002 portant réglementation des boissons alcoolisées

Chapitre A-18.011 Règl 1 (en vigueur à partir du 1^{er} février 2003) tel que modifié par les Règlements de la Saskatchewan 98/2003, 44/2006 et 20/2009.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPITRE A-18.011 RÉGL. 1

Loi de 1997 sur la réglementation des boissons alcoolisées et des jeux de hasard

PARTIE I

Dispositions préliminaires

Titre

- 1** *Règlement de 2002 portant réglementation des boissons alcoolisées.*

Définitions

- 2** Les définitions qui suivent s'appliquent au présent règlement:

«**Loi**» La *Loi de 1997 sur la réglementation des boissons alcoolisées et des jeux de hasard*, ("Act")

«**microbrasserie**» S'entend d'un lieu :

- a) où la bière est fabriquée en vertu d'un permis de fabricant délivré par la régie;
- b) où le volume de bière fabriqué en vue de la vente est, le cas échéant :
 - (i) dans le cas d'un lieu situé dans les villes de Saskatoon, Regina, Prince Albert ou Moose Jaw, entre 100 et 2 000 hectolitres par année,
 - (ii) dans le cas d'un lieu situé ailleurs, entre 30 et 2 000 hectolitres par année;
- c) où la bière est fabriquée en vue de la vente et de la consommation sur les lieux conformément à un permis délivré en vertu de l'alinéa 12(1)b). ("brew pub premises")

«**nombre de places**» Le nombre maximal de personnes qui peuvent être présentes à tout moment dans un lieu ou un endroit visé par un permis :

- a) s'agissant, sous réserve de l'alinéa c), du nombre fixé par le chef du service d'incendie ou un inspecteur des incendies visés par la loi intitulée *The Fire Prevention Act, 1992* au moyen des critères énoncés dans le Code national de prévention des incendies - Canada qui s'applique et qui est en vigueur selon le règlement intitulé *The Saskatchewan Fire Code Regulations*;
- b) s'agissant, sous réserve de l'alinéa c) et à défaut d'un nombre fixé par le chef du service d'incendie ou un inspecteur des incendies en vertu de l'alinéa a), du nombre fixé par la régie au moyen des critères énoncés dans le Code national de prévention des incendies - Canada qui s'applique et qui est en vigueur selon le règlement intitulé *The Saskatchewan Fire Code Regulations*;

- c) s'agissant du nombre fixé en conformité avec le présent règlement, lorsque ce nombre est inférieur à celui fixé en vertu des alinéas a) ou b). (*"capacity"*)

«**panaché**» Boisson préparée par un fabricant, vendue en contenants fermés et dont la teneur maximale en alcool est de 7%, composée d'une combinaison:

- (i) de jus de fruits, de préparations aromatiques, d'édulcorants et autres additifs alimentaires,
- (ii) de bière, de vin ou de spiritueux. (*"cooler"*)

«**spiritueux**» Boisson fabriquée par distillation et dont la teneur en alcool est de plus de 10%. (*"spirits"*)

10 jan 2003 chA-18.011 Règl 1 art2; 27 mars
2009 RS 20/2009 art3.

Permis

3 Sont établies les catégories de permis suivantes:

- a) permis de restaurant;
- b) permis de taverne;
- c) permis d'usage spécial;
- d) permis de fabricant;
- e) permis de circonstance;
- f) permis de brasserie libre-service ou de vinerie libre-service.

10 jan 2003 chA-18.011 Règl 1 art3; 27 mars
2009 RS 20/2009 art4.

Nombre de places dans un lieu

3.1 Le titulaire d'un permis doit s'assurer que le nombre de places du lieu ou de l'endroit visé par le permis qui lui a été délivré n'est pas dépassé.

27 mars 2009 RS 20/2009 art5.

Vente de boissons alcoolisées

4(1) Le titulaire d'un permis peut vendre des boissons alcoolisées dans le lieu ou l'endroit pour lequel le permis a été délivré, sous réserve des dispositions de la Loi, des autres dispositions du présent règlement ainsi que de toute modalité que lui impose la régie.

(2) Le titulaire d'un permis sur lequel la régie a porté une mention peut vendre des boissons alcoolisées conformément à la mention sous réserve des dispositions de la Loi, des autres dispositions du présent règlement ainsi que de toute modalité que lui impose la régie quant à la vente de boissons alcoolisées en vertu de la mention.

(3) Sous réserve des dispositions de la Loi, des autres dispositions du présent règlement et de toute modalité que lui impose la régie, le titulaire d'un permis de circonstance, dans les cas où son permis l'y autorise, peut servir des boissons alcoolisées sans frais à l'occasion spéciale.

(4) Le titulaire de permis qui doit détenir une licence délivrée en vertu de la loi intitulée *The Liquor Consumption Tax Act* ne peut vendre de boissons alcoolisées sans détenir cette licence.

10 jan 2003 chA-18.011 Règl 1 art4.

PARTIE II

Permis de restaurant

Permis de restaurant

5 La régie peut délivrer un permis de restaurant à l'égard d'un lieu où la préparation et la vente de nourriture en vue de la consommation sur place en constituent l'activité principale et la source principale de revenu.

27 mars 2009 RS 20/2009 art.

Mention portée sur un permis de restaurant

6 La régie peut porter une mention sur un permis de restaurant autorisant son titulaire à livrer des boissons alcoolisées à des clients dans les chambres d'un hôtel ou d'un motel, si:

- a) le titulaire du permis sert de la nourriture dans les chambres pendant les heures où il sert des boissons alcoolisées dans son restaurant;
- b) le lieu visé par le permis est situé dans un hôtel ou un motel ou y est adjacent;
- c) le titulaire du permis ne vend et ne livre aux clients de l'hôtel ou du motel que les genres de boissons alcoolisées qu'il est autorisé à vendre dans le lieu visé par le permis;
- d) l'exploitant de l'hôtel ou du motel n'est pas le titulaire du permis et a consenti par écrit à la vente et à la livraison de boissons alcoolisées par le titulaire du permis dans l'hôtel ou le motel.

10 jan 2003 chA-18.011 Règl 1 art6.

Mention autorisant la vente à partir de compartiments fermés à clé

7(1) La régie peut porter une mention sur le permis de restaurant d'un titulaire de permis qui exploite un restaurant situé dans un hôtel ou un motel ou dans un lieu qui y est adjacent l'autorisant à vendre des boissons alcoolisées à partir de compartiments fermés à clé dans les chambres de l'hôtel ou du motel.

(2) Le titulaire d'un permis qui porte une mention l'autorisant à vendre des boissons alcoolisées à partir de compartiments fermés à clé s'assure:

- a) de garder les boissons alcoolisées dans les compartiments fermés à clé;

- b) de ne fournir les clés servant à ouvrir les compartiments qu'aux clients inscrits de l'hôtel ou du motel qui ne sont pas mineurs;
 - c) de garder des boissons non alcoolisées et des produits alimentaires avec les boissons alcoolisées dans les compartiments fermés à clé.
- (3) Le titulaire de permis ne vend à partir des compartiments fermés à clé que les genres de boissons alcoolisées qu'il est autorisé à vendre dans le lieu visé par son permis.

10 jan 2003 chA-18.011 Régl 1 art7.

Mention autorisant la vente à partir d'un salon-bar

8(1) Sous réserve du paragraphe (2), la régie peut porter une mention sur le permis de restaurant d'un titulaire de permis l'autorisant à vendre des boissons alcoolisées en vue de la consommation par des personnes dans un salon-bar, une salle de banquet ou un casino adjacent au lieu visé par le permis et qui y est relié de manière satisfaisante.

(2) La régie ne peut porter la mention visée au paragraphe (1) sur un permis de restaurant dans les cas suivants :

- a) la régie est d'avis que le salon-bar ne convient pas à l'usage visé par la mention souhaitée;
 - b) l'aire de plancher du salon-bar dépasse 50 % de l'aire de plancher du lieu visé par le permis;
 - c) le nombre de places dans le salon-bar dépasse 50 % du nombre de places du lieu visé par le permis.
- (3) Pour les fins du paragraphe (1), les chambres d'un hôtel ou d'un motel dans lesquelles des boissons alcoolisées peuvent être livrées en vue de la vente et de la consommation en vertu d'une mention visée à l'article 6 ne font pas partie d'un salon-bar.
- (4) Le titulaire d'un permis qui porte une mention en vertu du paragraphe (1) s'assure:
- a) qu'on sert de la nourriture dans le salon-bar, la salle de banquet ou le casino;
 - b) que seuls les genres de boissons alcoolisées qu'il est autorisé à vendre dans le lieu visé par le permis sont vendues dans le salon-bar, la salle de banquet ou le casino adjacents.

10 jan 2003 chA-18.011 Régl 1 art8; 27 mars
2009 RS 20/2009 art7.

Mention autorisant la vente à partir d'autres endroits

9(1) La régie peut porter une mention sur le permis de restaurant d'un titulaire de permis l'autorisant à livrer et à vendre des boissons alcoolisées en vue de la consommation à des endroits pour lesquels un permis de circonstance a été délivré.

(2) **Abrogé.** 27 mars 2009 RS 20/2009 art8.

10 jan 2003 chA-18.011 Règl 1 art9; 27 mars
2009 RS 20/2009 art8.

Exigences relatives aux permis de restaurant

10(1) Le titulaire d'un permis de restaurant ne sert des boissons alcoolisées à un client qu'avec un repas servi au client.

(2) Le titulaire d'un permis de restaurant s'assure que la ratio des ventes de nourriture par rapport aux ventes de boissons alcoolisées au lieu à l'égard duquel le permis a été délivré est d'au moins un dollar tiré de la vente de nourriture pour chaque dollar tiré de la vente de boissons alcoolisées.

(3) Les paragraphes (1) et (2) ne s'appliquent pas à un salon-bar, une salle de banquet ou un casino à l'égard duquel le permis porte une mention accordée en vertu de l'article 8 ni à une terrasse à l'égard de laquelle le permis porte une mention accordée en vertu de l'article 32.

(4) À la demande de l'acheteur, le titulaire d'un permis de restaurant rebouche la bouteille de vin achetée dans le lieu visé par le permis, conformément au paragraphe 75(6) de la Loi.

10 jan 2003 chA-18.011 Règl 1 art10; 27 mars
2009 RS 20/2009 art9.

Mention de boîte de nuit

11(1) Sous réserve de l'approbation par voie de résolution du conseil de la municipalité dans laquelle le restaurant est situé, la régie peut porter une mention sur le permis de restaurant d'un titulaire de permis l'autorisant à exploiter le lieu visé par le permis comme boîte de nuit.

(2) Le titulaire de permis qui, avant le 20 janvier 1995, détenait une licence de catégorie «A» en cours de validité portant une mention de divertissement n'a pas besoin de l'approbation de la municipalité pour se faire accorder une mention de boîte de nuit sur un permis de restaurant délivré après cette date.

(3) Lorsque la régie porte une mention sur un permis en vertu du paragraphe (1), elle prescrit les dates et heures auxquelles le lieu visé par le permis peut être exploité comme boîte de nuit.

(4) Pendant les dates et heures auxquelles la mention accordée en vertu du paragraphe (1) autorise le titulaire de permis à exploiter le lieu visé par le permis comme boîte de nuit:

- a) le titulaire de permis exploite le lieu comme boîte de nuit sous réserve des dispositions de la Loi, des autres dispositions du présent règlement et des modalités établies par la régie;

- b) les dispositions de la Loi et du présent règlement qui visent les titulaires de permis qui exploitent des boîtes de nuit ou s'appliquent à eux s'appliquent au titulaire de permis et au lieu visé par le permis pendant les périodes où il exploite le lieu visé par le permis comme boîte de nuit;
- c) le paragraphe 10(2) ne s'applique pas au titulaire de permis;
- d) le titulaire de permis s'assure que le divertissement est offert chaque soir dans le lieu.

10 jan 2003 chA-18.011 Règl 1 art11; 27 mars
2009 RS 20/2009 art10.

PARTIE III Permis de taverne

Permis de taverne

12(1) La régie peut délivrer un permis de taverne pour tout lieu dont la source première d'affaires est la vente de boissons alcoolisées en vue de la consommation sur place si le lieu, le cas échéant:

- a) est situé dans un hôtel ou dans un motel;
- b) consiste en une microbrasserie et l'auteur de la demande de permis est le titulaire du permis de fabricant relatif à la microbrasserie;
- c) consiste en une boîte de nuit :
 - (i) où, dans les limites des heures d'ouverture prescrites en application du paragraphe (3), le divertissement est offert chaque soir,
 - (ii) dont l'exploitation a été approuvée par voie d'une résolution du conseil de la municipalité où elle est située;
- d) est:
 - (i) situé dans une municipalité qui a une population de moins de 5 000 personnes et dans laquelle n'est situé aucun autre lieu à l'égard duquel un permis de taverne a été délivré,
 - (ii) construit ou reconstruit sur l'emplacement d'un hôtel ou d'un motel qui a été détruit ou endommagé de quelque manière que ce soit, ou près d'un tel emplacement, et à l'égard duquel un permis ou une licence de boissons alcoolisées a été délivré;
- e) consiste en un lieu qui détenait, le 1^{er} janvier 1989, une licence de bar en cours de validité délivrée en vertu de la loi intitulée *The Liquor Licensing Act*;
- f) est :
 - (i) un lieu situé dans une municipalité qui a une population de moins de 5 000 personnes dans laquelle est situé un hôtel ou un motel qui détenait antérieurement un permis de taverne portant une mention de vente en vue de la consommation hors lieux et dans laquelle aucun autre permis portant une telle mention n'est en vigueur pour le moment,
 - (ii) le seul lieu dans la municipalité à qui un permis de taverne ait été accordé, sauf l'hôtel ou le motel situé dans la municipalité.

(2) À la demande de l'acheteur, le titulaire d'un permis de taverne rebouche la bouteille de vin achetée dans le lieu visé par le permis, conformément au paragraphe 75(6) de la Loi.

(3) La régie prescrit les heures auxquelles le lieu visé par le permis de taverne peut être exploité comme boîte de nuit.

10 jan 2003 chA-18.011 Règl 1 art12; 27 mars
2009 RS 20/2009 art11.

Permis de taverne délivré à l'égard d'une microbrasserie

13(1) Le titulaire d'un permis de fabricant à l'égard d'une microbrasserie :

- a) vend la bière fabriquée dans la microbrasserie à la régie;
- b) en tant que titulaire d'un permis de taverne visé à l'alinéa 12(1)b), achète la bière à la régie au prix fixé par la régie.

(2) Le titulaire d'un permis de taverne visé à l'alinéa 12(1)b) offre en vue de la vente dans la microbrasserie un minimum de quatre genres de bière pression fabriquée dans la microbrasserie.

10 jan 2003 chA-18.011 Règl 1 art13; 27 mars
2009 RS 20/2009 art12.

Mention autorisant la vente à partir de compartiments fermés à clé

14(1) La régie peut porter une mention sur le permis de taverne du titulaire de permis qui exploite une taverne située dans un hôtel ou un motel ou dans un lieu qui y est adjacent l'autorisant à vendre des boissons alcoolisées à partir de compartiments fermés à clé dans les chambres de l'hôtel ou du motel.

(2) Le titulaire du permis qui porte une mention l'autorisant à vendre des boissons alcoolisées à partir de compartiments fermés à clé s'assure:

- a) de garder les boissons alcoolisées dans les compartiments fermés à clé;
- b) de ne fournir les clés servant à ouvrir les compartiments qu'aux clients inscrits de l'hôtel ou du motel qui ne sont pas mineurs;
- c) de garder des boissons non alcoolisées et des produits alimentaires avec les boissons alcoolisées dans les compartiments fermés à clé.

(3) Le titulaire de permis ne peut vendre à partir des compartiments fermés à clé que les genres de boissons alcoolisées qu'il est autorisé à vendre dans le lieu visé par son permis.

10 jan 2003 chA-18.011 Règl 1 art14.

Mention autorisant la vente à partir d'autres endroits

15 La régie peut porter une mention sur le permis de taverne d'un titulaire de permis l'autorisant à livrer et à vendre des boissons alcoolisées en vue de la consommation à des endroits pour lesquels un permis de circonstance a été délivré.

27 mars 2009 RS 20/2009 art13.

PARTIE IV
Permis d'usage spécial

Permis d'usage spécial

16(1) La régie peut délivrer un permis d'usage spécial à l'égard:

- a) de tous lieux d'un club, si:
 - (i) le club est une société sans but lucratif ou un club de bienfaisance,
 - (ii) il en est le propriétaire ou le preneur à bail,
 - (iii) il les exploite,
 - (iv) il en limite l'admission à ses membres et à leurs invités;
- b) de tous lieux dans un établissement dont l'objet principal est de fournir des activités sportives et dont le propriétaire ou l'exploitant limite l'admission à des personnes:
 - (i) soit qui ont versé une cotisation ou des frais de service en échange du privilège de participer à un sport,
 - (ii) soit qui sont des spectateurs du sport;
- c) de tout voiture de chemin de fer, limousine, avion, autocar ou navire utilisé dans une entreprise de transport public;
- d) de toute salle de cinéma ou de concert;
- e) de tous lieux dans un aéroport;
- f) de tous lieux dans une université ou un établissement d'enseignement postsecondaire;
- g) de tout mess;
- h) d'un stade, si le conseil de la municipalité dans laquelle il est situé autorise la vente de boissons alcoolisées dans le stade;
- i) de tout camp situé dans le district administratif du nord de la Saskatchewan et où sont fournis des services de restauration et d'hébergement;
- j) de tous lieux dans lesquels sont tenues des expositions ou des foires;
- k) de tous établissements de soins spéciaux;
- l) de tout casino;
- m) de toute salle de bingo, lorsque l'objet principal du lieu est la tenue de bingos;
- n) de tous lieux servant de base à un service de livraison à domicile de boissons alcoolisées, que fournit un titulaire de permis.

(2) Le titulaire d'un permis délivré en vertu de l'alinéa (1)b) peut acheter de la bière, du vin et des panachés à un titulaire de permis dont le permis porte une mention en vertu des alinéas 33(1)b), c) ou e), si l'objet principal du titulaire du permis à l'égard du lieu visé par son permis est l'exploitation d'un terrain de golf ou d'une piste de curling

(3) Les dispositions suivantes de la Loi ne s'appliquent pas aux permis d'usage spécial visés aux alinéas (1)d), h) et j) :

- a) l'alinéa 58(1)d) de la Loi;
- b) le sous-alinéa 61(1)a)(ii) de la Loi;
- c) l'alinéa 61(1)b) de la Loi.

(4) À la demande de l'acheteur, le titulaire d'un permis d'usage spécial rebouche la bouteille de vin achetée dans le lieu visé par le permis, conformément au paragraphe 75(6) de la Loi.

10 jan 2003 chA-18.011 Régl 1 art16; 27 mars
2009 RS 20/2009 art14.

Mention visant les lieux d'un club

16.1 La régie peut porter une mention sur un permis d'usage spécial délivré en vertu de l'alinéa 16(1)a) autorisant un club à vendre des boissons alcoolisées en vue de la consommation dans les lieux du club pour lesquels un permis de circonstance a été accordé.

27 mars 2009 RS 20/2009 art15.

Mention visant un salon professionnel

16.2 La régie peut porter une mention sur un permis d'usage spécial délivré en vertu des alinéas 16(1)d), f) ou j) autorisant la vente d'échantillons de boissons alcoolisées en vue de la consommation dans le cadre d'un salon professionnel tenu dans les lieux visés par le permis et dans le respect de la Loi, du présent règlement et, le cas échéant, des conditions imposées par la régie.

27 mars 2009 RS 20/2009 art15.

Permis d'usage spécial pour la livraison à domicile

16.3(1) Un permis d'usage spécial pour la livraison à domicile peut être délivré en vertu de l'alinéa 16(1)n) aux personnes suivantes :

- a) le détenteur d'une franchise;
- b) le titulaire d'un permis portant une mention visée aux alinéas 33(1)b), c) ou e);
- c) toute autre personne qui, de l'avis de la régie, est admissible à un permis d'usage spécial pour la livraison à domicile sous le régime de la Loi et du présent règlement.

- (2) Il est interdit aux personnes visées à l'alinéa (1)c) à qui la régie a accordé un permis d'usage spécial pour la livraison à domicile de garder des boissons alcoolisées en vue de la vente.
- (3) Le titulaire d'un permis d'usage spécial pour la livraison à domicile peut :
- a) prendre la commande de toute personne qui souhaite acheter des boissons alcoolisées;
 - b) livrer et vendre les boissons alcoolisées aux personnes qui les ont commandées, dans un lieu privé où il est permis de garder et de consommer les boissons alcoolisées.
- (4) Le titulaire d'un permis d'usage spécial pour la livraison à domicile achète les boissons alcoolisées requises pour remplir la commande prise en vertu du paragraphe (3) :
- a) à la régie, à une franchise ou au titulaire d'un permis portant une mention visée aux alinéas 33(1)b), c) ou e);
 - b) pendant les jours et heures prévus pour la vente légale de boissons alcoolisées sous le régime de l'article 41.
- (5) Le titulaire d'un permis d'usage spécial pour la livraison à domicile livre et vend les boissons alcoolisées visées par le paragraphe (3) pendant les jours et heures prévus pour la vente légale de boissons alcoolisées sous le régime de l'article 41, y compris la période prévue à l'article 44.
- (6) Le titulaire d'un permis d'usage spécial pour la livraison à domicile s'assure :
- a) que le prix demandé pour la livraison à domicile des boissons alcoolisées équivaut au prix de détail plus des frais de livraison distincts;
 - b) que les clients sont au courant du prix d'achat et des frais de livraison au moment de placer leur commande;
 - c) qu'au moment où se fait la livraison à domicile, lui-même ou son employé qui en est chargé porte sur soi une copie du permis d'usage spécial pour la livraison à domicile;
 - d) qu'aucune boisson alcoolisée n'est livrée à domicile à un mineur ou à une personne qui semble se trouver en état d'ébriété au moment de la livraison;
 - e) s'il s'agit d'une personne visée par l'alinéa (1)c), que les boissons alcoolisées achetées pour remplir une commande mais non livrées et vendues sont retournées à la régie, à une franchise ou au titulaire d'un permis portant une mention visée aux alinéas 33(1)b), c) ou e).
- (7) Le titulaire d'un permis d'usage spécial pour la livraison à domicile :
- a) fait signer à l'acheteur un reçu pour la vente et la livraison des boissons alcoolisées;
 - b) tient un registre des ventes et livraisons de boissons alcoolisées indiquant :
 - (i) l'adresse de chaque personne qui commande des boissons alcoolisées de lui,
 - (ii) la date de la commande,

- (iii) le genre et la quantité de boissons alcoolisées commandées,
 - (iv) le prix demandé pour les boissons alcoolisées commandées,
 - (v) les frais de livraison demandés,
 - (vi) les date et heure de la livraison,
 - (vii) le nom du livreur,
 - (viii) pour chaque acheteur de boissons alcoolisées qui, aux yeux du livreur, semblait avoir moins de 25 ans, son nom et le type de preuve d'âge qu'il a présentée à la demande du livreur,
 - (ix) s'agissant de boissons alcoolisées commandées mais non livrées ou vendues, la raison pour l'absence de livraison ou de vente.
- (8) Le titulaire d'un permis d'usage spécial pour la livraison à domicile conserve les reçus et le registre prévus au paragraphe (7) pour deux ans au moins et permet à la régie de les examiner au besoin.

27 mars 2009 RS 20/2009 art15.

PARTIE IV.1

Permis de brasserie libre-service et de vinerie libre-service

Permis de brasserie libre-service et de vinerie libre-service

16.4(1) La régie peut délivrer un permis à l'égard d'une brasserie libre-service ou d'une vinerie libre-service dont l'activité se déroule :

- a) dans un lieu qui, de l'avis de la régie, convient à l'exploitation d'une brasserie libre-service ou d'une vinerie libre-service;
 - b) dans le respect de la Loi, du présent règlement et, le cas échéant, des conditions imposées par la régie.
- (2) Il est interdit au titulaire d'un permis de brasserie libre-service ou de vinerie libre-service :
- a) de garder ou conserver des boissons alcoolisées autres que celles conservées dans un contenant servant à la fabrication de boissons alcoolisées;
 - b) de vendre ou d'offrir de vendre des boissons alcoolisées ou d'en produire en vue de la vente;
 - c) sous réserve de l'article 16.5, de permettre la consommation de boissons alcoolisées dans les lieux visés par le permis;
 - d) de permettre à des mineurs de participer à la fabrication ou à la manipulation des boissons alcoolisées;
 - e) de se livrer à des activités liées à la fabrication de boissons alcoolisées autres que celles qui sont autorisées par la régie.

27 mars 2009 RS 20/2009 art16.

Essais

16.5 Le titulaire d'un permis de brasserie libre-service ou de vinerie libre-service peut permettre à un client d'essayer un échantillon de son propre produit au cours du processus de fabrication, sous réserve des conditions suivantes :

- a) les échantillons doivent être fournis avant l'embouteillage des boissons alcoolisées;
- b) le nombre maximal d'échantillons permis est de deux échantillons par lot, peu importe le nombre de clients qui participent à la production du lot;
- c) les échantillons ne doivent pas contenir plus de 100 millilitres;
- d) les échantillons ne peuvent être consommés que par un client dont le nom figure sur l'étiquette d'identification apposée au contenant servant à la fabrication des boissons alcoolisées du client, conformément au paragraphe 16.7(2).

27 mars 2009 RS 20/2009 art16.

Responsabilités concernant la clientèle

16.6(1) Il est interdit au titulaire d'un permis de brasserie libre-service ou de vinerie libre-service de permettre à un client de fabriquer des boissons alcoolisées dans les lieux ou d'emporter des boissons alcoolisées fabriquées dans les lieux à moins que le client se soit rendu à la brasserie libre-service ou à la vinerie libre-service au moins à deux reprises pour accomplir les tâches suivantes :

- a) la première fois qu'il s'y rend :
 - (i) il paie le produit et le service,
 - (ii) il signe une déclaration selon laquelle le produit servira à sa consommation personnelle dans un lieu privé ou à la consommation d'autres personnes, gratuitement, dans un lieu privé,
 - (iii) il mélange tous les ingrédients nécessaires au déclenchement du processus de fermentation en vue de la fabrication des boissons alcoolisées;
- b) la seconde fois qu'il s'y rend :
 - (i) il embouteille et scelle les boissons alcoolisées,
 - (ii) il emporte les boissons alcoolisées hors des lieux.

(2) Le titulaire d'un permis de brasserie libre-service ou de vinerie libre-service peut permettre à un client d'être accompagné d'une ou de plusieurs personnes pour l'aider à accomplir les tâches mentionnées au paragraphe (1), pourvu que ces personnes ne soient pas associées à la brasserie libre-service ou à la vinerie libre-service.

(3) Le titulaire d'un permis de brasserie libre-service ou de vinerie libre-service ou ses employés peuvent aider un client à accomplir les tâches mentionnées au paragraphe (1), pourvu que chacune d'elles soit accomplie principalement par le client, à moins que celui-ci soit physiquement incapable de le faire sans aide.

(4) Si le client est physiquement incapable d'accomplir la tâche sans aide, le titulaire du permis peut l'aider, mais uniquement en la présence du client.

27 mars 2009 RS 20/2009 art 16.

Tenue des dossiers et obligation de faire rapport

16.7(1) Le titulaire d'un permis de brasserie libre-service ou de vinerie libre-service doit obtenir les documents suivants, les conserver pendant deux ans et permettre à la régie de les examiner au besoin :

a) une déclaration signée par chaque client pour chaque lot de boissons alcoolisées fabriquées dans les lieux, selon laquelle les boissons alcoolisées serviront à sa consommation personnelle dans un lieu privé ou à la consommation d'autres personnes, gratuitement, dans un lieu privé;

b) une facture de vente pour chaque déclaration de client, indiquant notamment :

- (i) le nom, l'adresse et le numéro de téléphone du client,
- (ii) le genre de produit et sa quantité,
- (iii) les ingrédients fournis au client et le prix demandé,
- (iv) les services fournis au client et le prix demandé,
- (v) la date de début de la fabrication,
- (vi) le montant du paiement reçu,
- (vii) le nom, l'adresse et le numéro de téléphone du titulaire de permis.

(2) Le titulaire d'un permis de brasserie libre-service ou de vinerie libre-service s'assure qu'une étiquette d'identification est apposée à chaque contenant servant à la fabrication des boissons alcoolisées du client au cours du processus de fabrication.

(3) Au plus tard le 30 avril de chaque année, le titulaire d'un permis de brasserie libre-service ou de vinerie libre-service rédige et remet, dans une forme que la régie juge acceptable, un rapport qui comprend les renseignements qui suivent à l'égard de la brasserie libre-service ou de la vinerie libre-service pour la période s'étalant du 1^{er} avril de l'année précédente au 31 mars de l'année en cours :

- a) le type de boissons alcoolisées fabriquées et le volume de chaque type de boissons alcoolisées fabriquées;
- b) le nombre de clients ayant fabriqué chaque type de boissons alcoolisées;
- c) tout autre renseignement qu'exige la régie.

27 mars 2009 RS 20/2009 art 16.

Produits non réclamés

16.8 Le titulaire d'un permis de brasserie libre-service ou de vinerie libre-service détruit tous les produits non réclamés après avoir fait des tentatives raisonnables de joindre le client.

27 mars 2009 RS 20/2009 art16.

Fabrication à l'usage personnel du titulaire de permis

16.9 Sous réserve des conditions énoncées aux articles 16.4 à 16.8, le titulaire d'un permis de brasserie libre-service ou de vinerie libre-service ou ses employés peuvent fabriquer des boissons alcoolisées dans les lieux de la brasserie libre-service ou de la vinerie libre-service pour leur consommation personnelle dans un lieu privé ou pour la consommation d'autres personnes, gratuitement, dans un lieu privé.

27 mars 2009 RS 20/2009 art16.

PARTIE V

Permis de fabricant

Permis de fabricant

17(1) La régie peut délivrer un permis de fabricant à l'égard de tout lieu dont l'objet principal est l'exploitation d'une brasserie, d'une distillerie ou d'un établissement vinicole.

(2) Sous réserve des lois fédérales, de la Loi et des autres dispositions du présent règlement, le titulaire d'un permis de fabricant peut:

- a) fabriquer des boissons alcoolisées des genres et dans le lieu indiqués sur son permis;
- b) vendre et livrer à la régie les boissons alcoolisées qu'il fabrique;
- c) dans le cas d'un brasseur, vendre pour le compte de la régie et livrer à un titulaire de permis des boissons alcoolisées qu'il fabrique;
- d) exporter des boissons alcoolisées des genres indiqués par la régie.

(3) Sous réserve des alinéas 107(2)c) et c.1) de la Loi, il est interdit à toute personne de fabriquer des boissons alcoolisées, sauf dans les cas où un permis a été délivré par la régie en conformité avec la Loi et le présent règlement.

(4) **Abrogé.** 26 mai 2006 RS 44/2006 art2.

10 jan 2003 chA-18.011 Règl 1 art17; 26 mai
2006 RS 44/2006 art2; 27 mars 2009 RS 20/
2009 art17.

Permis de fabricant délivré à l'égard d'une microbrasserie

18(1) La régie ne délivre un permis de fabricant à l'égard d'une microbrasserie que dans les cas suivants:

- a) elle est d'avis que l'emplacement et la construction des lieux et l'équipement qui y est situé conviennent à la fabrication de la bière;
- b) les cuves de fermentation, de fermentation secondaire et de distribution ont une capacité minimale :
 - (i) dans le cas de microbrasseries situées dans les villes de Saskatoon, Regina, Prince Albert ou Moose Jaw, de huit hectolitres,
 - (ii) dans le cas de microbrasseries situées ailleurs, de deux hectolitres;
- c) elle est d'avis que l'équipement de brassage est doté de compteurs automatiques convenables pour contrôler et enregistrer le volume total de bière fabriquée en vue de la vente dans la microbrasserie.

(2) Le titulaire d'un permis de fabricant à l'égard d'une microbrasserie s'assure que:

- a) la bière fabriquée en vertu du permis:
 - (i) est fabriquée dans la microbrasserie indiquée dans le permis,
 - (ii) est fabriquée conformément aux normes établies en vertu de la *Loi sur les aliments et drogues* (Canada) et de ses règlements d'application et de toute autre loi fédérale,
 - (iii) satisfait aux normes de qualité de la régie;
- b) le volume de bière fabriquée en vue de la vente se situe :
 - (i) dans le cas de microbrasseries situées dans les villes de Saskatoon, Regina, Prince Albert ou Moose Jaw, entre 100 et 2 000 hectolitres par année,
 - (ii) dans le cas de microbrasseries situées ailleurs, entre 30 et 2 000 hectolitres par année;
- c) il est satisfait aux conditions visées au paragraphe (1).

(3) Le titulaire d'un permis de fabricant délivré à l'égard d'une microbrasserie tient un registre qui satisfait à la régie et lui soumet des rapports mensuels indiquant:

- a) le volume total de la bière fabriquée en vue de la vente dans la microbrasserie;
- b) tous autres détails que la régie exige.

Importation de bière

19 La régie peut autoriser un brasseur titulaire d'un permis de fabricant d'importer de la bière en Saskatchewan si:

- a) il est le fabricant de la bière;
- b) il est satisfait aux exigences prévues à l'article 3 de la *Loi sur l'importation des boissons enivrantes* (Canada).

10 jan 2003 chA-18.011 Règl 1 art 19.

Lieu de dégustation

20(1) Le titulaire d'un permis de fabricant qui exploite un lieu de dégustation dans le lieu visé par son permis :

- a) peut offrir gratuitement à des invités, dans le lieu de dégustation, des boissons alcoolisées fabriquées dans le lieu;
- b) peut exploiter le lieu de dégustation pendant les jours et heures où un titulaire de permis peut légalement vendre des boissons alcoolisées en vertu de l'article 41;
- c) ne permet pas la présence de mineurs dans le lieu de dégustation;
- d) ne permet pas la présence simultanée de plus de 125 invités dans le lieu de dégustation.

(2) Il est interdit au titulaire d'un permis de fabricant à l'égard d'une microbrasserie d'exploiter un lieu de dégustation dans le lieu visé par son permis.

27 mars 2009 RS 20/2009 art 19.

PARTIE VI

Permis de circonstance

Permis de circonstance

21(1) La régie peut délivrer un permis de circonstance à l'égard de tout lieu ou endroit où doit être tenue une occasion spéciale autorisant le titulaire du permis:

- a) soit à servir des boissons alcoolisées sans frais;
- b) soit à vendre des boissons alcoolisées à des prix qui ne suffisent qu'à recouvrer le prix d'achat des boissons alcoolisées tel que l'indique la régie;
- c) soit à vendre des boissons alcoolisées à des prix fixés par le titulaire du permis pour l'occasion spéciale.

(2) Le titulaire d'un permis de circonstance:

- a) peut entreposer des boissons alcoolisées dans le lieu ou l'endroit à l'égard duquel le permis a été délivré;

b) arrête de servir ou de vendre des boissons alcoolisées pas moins d'une demi-heure avant l'expiration du permis, ou toute période indiquée dans le permis, afin de permettre aux personnes à qui ont été servies des boissons alcoolisées de les consommer;

c) s'assure que:

(i) seuls sont vendus ou servis les genres et les quantités de boissons alcoolisées que le titulaire du permis est autorisé à vendre ou à servir à l'occasion spéciale,

(ii) le nombre de personnes dans le lieu ou l'endroit à l'égard duquel le permis est délivré ne dépasse pas le nombre de places du lieu ou de l'endroit indiqué sur le permis.

10 jan 2003 chA-18.011 Règl 1 art21.

Jours et heures d'ouverture

22(1) Il est interdit au titulaire d'un permis de circonstance de vendre ou de servir ou de permettre que soient vendues ou servies des boissons alcoolisées sauf pendant les jours et aux heures fixés par la régie pour la vente ou le service de boissons alcoolisées au titre du permis.

(2) Un permis de circonstance ne peut prendre effet avant 9 h 30, à moins que la régie n'ait porté une mention sur le permis autorisant son titulaire à vendre ou à servir des boissons alcoolisées plus tôt.

(3) Tout permis de circonstance expire:

a) sous réserve de l'alinéa b), au plus tard à 2 h 30 le jour suivant le jour à l'égard duquel le permis a été délivré, à moins que le permis ne porte une mention de la régie autorisant son titulaire à vendre ou à servir des boissons alcoolisées après 2 h 30;

b) au plus tard à 3 h le 1^{er} janvier, pour les permis délivrés pour le 31 décembre.

(4) Sous réserve du paragraphe (5) et de l'article 23, un permis de circonstance ne peut être valable pendant plus de 12 heures au cours d'une période de 24 heures.

(5) La régie peut porter une mention sur un permis de circonstance afin qu'il soit valable pour une période maximale de 19 heures au cours d'une période de 24 heures.

10 jan 2003 chA-18.011 Règl 1 art22; 27 mars
2009 RS 20/2009 art20.

Réunions et rencontres ordinaires

23(1) La régie peut délivrer un permis de circonstance pour une durée maximale d'un an à l'égard des réunions ordinaires d'une association ou autre organisme pour lesquelles l'auteur de la demande aurait le droit de demander et de se faire accorder un permis de circonstance distinct:

a) s'il n'y a pas plus d'une réunion par semaine au cours de la période de validité du permis;

- b) si des dispositions que la régie estime suffisantes ont été prises afin de garder en sécurité les boissons alcoolisées non consommées:
 - (i) à une réunion,
 - (ii) qui doivent être servies à la prochaine réunion ordinaire;
 - c) si aucune réunion ne dure plus de six heures.
- (2) La régie peut délivrer un permis de circonstance pour une période maximale d'un an à l'égard des rencontres mondaines ordinaires d'une association ou autre organisme pour lesquelles l'auteur de la demande aurait le droit de demander et de se faire accorder un permis de circonstance distinct:
- a) si la majorité des membres de l'association ou autre organisme sont âgés de 55 ans ou plus;
 - b) s'il n'y a pas plus d'une rencontre mondaine par semaine dans la période au cours de laquelle le permis est en vigueur;
 - c) si des dispositions que la régie estime suffisantes ont été prises afin de garder en sécurité les boissons alcoolisées non consommées:
 - (i) à la rencontre mondaine,
 - (ii) qui doivent être servies à la prochaine rencontre mondaine ordinaire.

10 jan 2003 chA-18.011 Règl 1 art23.

24 Abrogé. 27 mars 2009 RS 20/2009 art21.

Conditions du permis de circonstance

25(1) La demande de permis de circonstance doit être présentée au moins 10 jours avant la date de l'occasion spéciale ou dans le délai plus court que la régie peut autoriser.

(2) L'auteur de la demande de permis de circonstance doit prendre des dispositions que la régie estime suffisantes pour se conformer à la loi intitulée *The Liquor Consumption Tax Act*.

(3) Le titulaire d'un permis de circonstance peut acheter des boissons alcoolisées à la régie, à une franchise ou au titulaire d'un permis portant une mention visée aux alinéas 33(1)b), c) ou e).

27 mars 2009 RS 20/2009 art22.

Conditions

26(1) La régie ne peut délivrer un permis de circonstance en vertu de l'alinéa 21(1)c) à un particulier.

(2) La régie peut refuser de délivrer un permis de circonstance en vertu de l'alinéa 21(1)c) à tout organisme qu'elle ne considère pas approprié.

(3) Malgré le paragraphe (1), la régie peut délivrer un permis de circonstance à un particulier en vertu de l'alinéa 21(1)c), si les boissons alcoolisées servies pour l'occasion spéciale seront fournies par le titulaire d'un permis de restaurant, d'un permis de taverne ou d'un permis d'usage spécial à l'égard d'un club, portant une mention accordée en vertu des articles 9, 15 ou 16.1.

10 jan 2003 chA-18.011 Règl 1 art26; 27 mars
2009 RS 20/2009 art23.

Permis de circonstance – mineurs

27 Il est interdit au titulaire de permis de circonstance de permettre à des mineurs de se trouver au lieu ou à l'endroit visé par le permis, à moins que le permis ne soit délivré en vertu de l'alinéa 21(1)a) ou b) ou que les conditions suivantes ne soient réunies:

- a) l'auteur de la demande a demandé que la présence de mineurs y soit autorisée;
- b) la régie a autorisé la présence de mineurs dans le lieu et l'autorisation a été portée sur le permis;
- c) dans les cas où le permis est délivré à un organisme ou à une personne autre qu'un particulier, le mineur est accompagné de son père ou de sa mère, de son tuteur légal ou conjoint, si son conjoint n'est pas mineur, à moins que la régie n'ait accordé une dispense à cet égard, la dispense étant portée sur le permis.

10 jan 2003 chA-18.011 Règl 1 art27.

Permis de circonstance délivré à l'égard d'un lieu situé à l'extérieur

28 Un permis de circonstance ne peut être délivré à l'égard d'un lieu ou d'un endroit qui est situé, en tout ou en partie, à l'extérieur d'un édifice, à moins que:

- a) l'emplacement du lieu ou de l'endroit ne soit clairement défini et qu'il soit possible de l'isoler afin d'empêcher le public d'y accéder;
- b) le conseil de la municipalité dans laquelle est situé le lieu ou l'endroit a approuvé la demande de permis;
- c) la demande soit présentée au siège de la régie.

10 jan 2003 chA-18.011 Règl 1 art28; 27 mars
2009 RS 20/2009 art24.

Restriction relative aux permis de circonstance

29 La personne à qui est délivré un permis de circonstance s'assure que seules les boissons alcoolisées qui ont été achetées légalement à la régie, à une franchise ou à un titulaire de permis et qui ont été dûment inscrites sur le permis sont servies ou vendues aux personnes qui assistent à l'occasion spéciale.

10 jan 2003 chA-18.011 Règl 1 art29.

PARTIE VII
Permis temporaires et provisoires

Permis temporaires

30(1) La régie peut délivrer un permis temporaire en attendant:

- a) l'achèvement de modifications à tout lieu, si elles sont exigées par la régie;
- b) le respect des dispositions du présent règlement relativement au genre de permis pour lequel la demande est présentée;
- c) l'examen de la demande de permis.

(2) Un permis temporaire ne peut être délivré pour une période de plus de six mois.

10 jan 2003 chA-18.011 Règl 1 art30.

Permis provisoires

31(1) La régie, après dépôt par l'auteur de la demande des plans et devis indiquant l'emplacement, la disposition et la construction ou la reconstruction du lieu proposé visé par le permis, peut délivrer un permis provisoire en attendant la délivrance d'un permis non provisoire.

(2) Si elle est d'avis que la disposition, la construction ou la reconstruction du lieu n'est pas conforme aux plans et devis déposés en vertu du paragraphe (1), la régie peut, sous réserve de la Loi, suspendre ou annuler le permis.

(3) Le permis délivré en vertu du paragraphe (1) n'autorise pas son titulaire à vendre de boissons alcoolisées quelconques tant que la régie:

- a) n'a pas approuvé définitivement la construction ou la reconstruction des lieux;
- b) ne lui a pas remis une autorisation écrite lui permettant de vendre des boissons alcoolisées.

(4) Sur réception d'une demande de permis visée à l'alinéa 12(1)a), b), c) ou d), la régie tient compte, en plus de toute considération pertinente soumise par l'auteur de la demande, de l'emplacement, de l'exploitation et de la gestion par l'auteur de la demande du lieu visé par le permis et du genre d'affaires autorisées par le permis avant de donner son approbation à un permis provisoire.

10 jan 2003 chA-18.011 Règl 1 art31; 27 mars
2009 RS 20/2009 art25.

PARTIE VIII

Mentions

Mention autorisant la vente à partir d'une terrasse

32(1) La régie peut porter une mention sur le permis d'un titulaire de permis l'autorisant à vendre des boissons alcoolisées en vue de la consommation sur une terrasse qui, de l'avis de la régie, est adjacente au lieu visé par le permis et y est reliée de manière conforme.

(2) Si la régie porte une mention sur le permis d'un titulaire de permis en vertu du paragraphe (1), le titulaire de permis s'assure que ne sont vendues à des personnes qui se trouvent dans la terrasse que les boissons alcoolisées que le titulaire de permis est autorisé à vendre dans le lieu visé par le permis.

27 mars 2009 RS 20/2009 art26.

Mention autorisant la vente d'alcool dans des contenants fermés

33(1) La régie peut, à son appréciation exclusive, accorder des mentions autorisant la vente, dans des contenants fermés et du genre et dans la quantité indiqués dans la mention, en vue de la consommation hors lieux:

- a) de vin par le titulaire d'un permis de restaurant, mais seulement à un client qui vient de consommer un repas dans le lieu visé par le permis;
- b) de boissons alcoolisées par le titulaire d'un permis de taverne, autre qu'un permis de taverne délivré à l'égard d'une boîte de nuit ou d'une microbrasserie;
- c) de bière fabriquée par le titulaire de permis dans la microbrasserie et de boissons alcoolisées par un titulaire de permis à qui a été délivré un permis de taverne à l'égard d'une microbrasserie;
- d) de boissons alcoolisées par un titulaire de permis d'usage spécial à l'égard d'un camp décrit à l'alinéa 16(1)i);
- e) de bière fabriquée dans la microbrasserie par un titulaire du permis à qui a été délivré un permis de taverne à l'égard de la microbrasserie.

(2) Si une mention est accordée en vertu de l'alinéa (1)c), le titulaire de permis s'assure qu'au moins un genre de bière fabriquée et vendue dans la microbrasserie est offert en vue de la vente dans des contenants fermés pour consommation hors lieux.

(3) Sur réception d'une demande de mention en vertu du paragraphe (1), la régie tient compte, en plus de toute considération pertinente soumise par l'auteur de la demande, de l'emplacement, de l'exploitation et de la gestion par l'auteur de la demande du lieu visé par le permis et du genre d'affaires que le permis autorise.

10 jan 2003 chA-18.011 Règl 1 art33; 27 mars
2009 RS 20/2009 art27.

Limite au nombre de mentions accordées

34(1) Sauf pour les mentions accordées en vertu de l'alinéa 33(1)a) ou e), le nombre maximal de mentions que la régie peut accorder en vertu du paragraphe 33(1) pour chaque municipalité d'une population quelconque est fixé au tableau 1 de l'annexe A.

(2) Si la diminution de la population d'une municipalité a pour effet de diminuer le nombre maximal de mentions que la régie peut accorder tel qu'il est fixé au tableau 1 de l'annexe A, la régie peut, à son appréciation exclusive et malgré le paragraphe (1), accorder le nombre de mentions qu'elle aurait pu accorder si la population n'avait pas diminué.

(3) Malgré le paragraphe (1), la régie peut, à son appréciation exclusive, accorder une mention en vertu de l'alinéa 33(1)b) ou c) qui dépasse le nombre maximal de mentions qu'elle peut accorder pour chaque municipalité rurale d'une population déterminée dans les cas suivants:

a) le titulaire de permis qui présente la demande de mention en vertu de l'alinéa 33(1)b) ou c) détenait un permis portant une mention autorisant la vente en vue de la consommation hors lieux le 19 juillet 2000;

b) l'auteur de la demande a acquis un lieu visé par un permis portant une mention autorisant la vente en vue de la consommation hors lieux mentionnée à l'alinéa a).

(4) Les paragraphes (1) et (2) ne s'appliquent pas aux municipalités suivantes:

a) Regina;

b) Saskatoon;

c) Prince Albert;

d) Moose Jaw.

10 jan 2003 chA-18.011 Règl 1 art34; 27 mars
2009 RS 20/2009 art28.

**Limite au nombre de mentions accordées dans le district
administratif du nord de la Saskatchewan**

34.1(1) Malgré l'article 34 et sous réserve du paragraphe (2), la régie n'accordera les mentions visées aux alinéas 33(1)b) ou c) à l'égard d'un lieu visé par un permis situé dans le district administratif du nord de la Saskatchewan que si ce lieu est situé à 40 kilomètres ou plus par voie routière :

a) de tout lieu visé par un permis portant une mention délivrée en vertu des alinéas 33(1)b) ou c);

b) du magasin le plus près;

c) de la franchise la plus près.

(2) Le paragraphe (1) ne s'applique pas au renouvellement d'une mention accordée en vertu des alinéas 33(1)b) ou c) dans le district administratif du nord de la Saskatchewan, à condition que la mention ait été obtenue avant le 1^{er} avril 2009.

27 mars 2009 RS 20/2009 art29.

Vente de boissons alcoolisées par les titulaires de permis

35(1) Malgré toute autre disposition du présent règlement, le titulaire d'un permis portant une mention en vertu de l'alinéa 33(1)b), c) ou e) peut vendre de la bière, du vin ou des panachés:

- a) au titulaire d'un permis de circonstance;
 - b) au titulaire d'un permis délivré en vertu de l'alinéa 16(1)b), si l'objet principal du titulaire de permis à l'égard du lieu visé par le permis est l'exploitation d'un terrain de golf ou d'une piste de curling;
 - c) au titulaire d'un permis d'usage spécial pour la livraison à domicile qui a été délivré en vertu de l'alinéa 16(1)n).
- (2) Le titulaire de permis qui vend de la bière, du vin ou des panachés au titulaire d'un permis visé à l'alinéa (1)b) tient un registre indiquant, pour chaque vente:
- a) le nom du titulaire de permis;
 - b) le numéro de taxe à la consommation de boissons alcoolisées du titulaire de permis;
 - c) le genre et la quantité de boissons alcoolisées vendues.
- (3) Chaque titulaire de permis conserve le registre visé au paragraphe (2) pendant au moins six ans à compter de la date de la vente.

10 jan 2003 chA-18.011 Règl 1 art35; 27 mars
2009 RS 20/2009 art30.

Accès à des boissons non alcoolisées ou à de la nourriture

36(1) Le titulaire d'un permis, autre que d'un permis de fabricant ou d'un permis d'usage spécial pour la livraison à domicile, garde à l'endroit où se déroule l'occasion spéciale ou au lieu visé par le permis, ainsi que dans tout salon-bar, terrasse ou salle de banquet du lieu visé par le permis assorti d'une mention, une provision de boissons non alcoolisées en vue de les vendre ou de les fournir aux clients pour consommation sur place.

(2) Le titulaire d'un permis, autre que d'un permis de fabricant ou d'un permis d'usage spécial délivré en vertu des alinéas 16(1)c), d) ou n), garde à l'endroit où se déroule l'occasion spéciale ou au lieu visé par le permis, ainsi que dans tout salon-bar, terrasse ou salle de banquet du lieu visé par le permis assorti d'une mention, une provision de nourriture en vue de la vendre ou de la fournir aux clients pour consommation sur place.

27 mars 2009 RS 20/2009 art31.

Présence de mineurs dans le lieu visé par un permis

37 La régie peut porter une mention sur tout permis ou toute catégorie de permis autorisant la présence de mineurs dans le lieu visé par le permis.

10 jan 2003 chA-18.011 Règl 1 art37.

Présence de personnes dans le lieu visé par le permis

38(1) Sous réserve des paragraphes (2) et (3), des personnes peuvent être présentes entre 3 h et 9 h 30 le même jour dans tout lieu visé par un permis, sauf:

- a) un lieu situé dans un hôtel ou un motel;
- b) une microbrasserie;
- c) une boîte de nuit;
- d) un lieu décrit à l'alinéa 12(1)d);
- e) un lieu décrit à l'alinéa 12(1)e).

(2) Des personnes peuvent être présentes entre 3 h 30 et 9 h 30 le 1^{er} janvier dans tout lieu visé par un permis, sauf:

- a) un lieu situé dans un hôtel ou un motel;
- b) une microbrasserie;
- c) une boîte de nuit;
- d) un lieu décrit à l'alinéa 12(1)d);
- e) un lieu décrit à l'alinéa 12(1)e).

(3) Des personnes peuvent être présentes dans tout lieu visé par un permis situé dans un hôtel ou un motel ou dans un lieu visé à l'alinéa 12(1)d):

- a) entre 5 h et 9 h 30 tous les jours sauf le dimanche;
- b) entre 5 h et midi le dimanche.

(4) Malgré le paragraphe (1), des personnes peuvent être présentes entre 3 h et 9 h 30 dans un lieu situé dans un hôtel ou un motel, dans une microbrasserie ou dans une boîte de nuit, si le titulaire du permis a préalablement obtenu l'autorisation écrite de la régie.

10 jan 2003 chA-18.011 Règl 1 art38; 27 mars
2009 RS 20/2009 art32.

Limites

39 La régie peut, à son appréciation exclusive, limiter ou interdire tous genres de boissons alcoolisées ou en limiter la quantité que peut vendre, livrer ou fournir un titulaire de permis ou une catégorie de titulaires de permis en vertu d'un permis ou d'une catégorie de permis ou en vertu de toute mention ou de toute catégorie de mentions.

10 jan 2003 chA-18.011 Règl 1 art39.

Durée des permis

40 Tous les permis, à l'exception des permis de circonstance et des permis temporaires ou provisoires, demeurent en vigueur pendant un an à partir de la date à laquelle ils sont délivrés, à moins qu'ils ne soient délivrés pour une durée inférieure à un an.

10 jan 2003 chA-18.011 Règl 1 art40.

PARTIE IX
Heures d'ouverture**Heures normales d'ouverture**

41 Sous réserve des autres dispositions du présent règlement, le titulaire de permis peut :

- a) ouvrir le lieu visé par son permis pour la vente de boissons alcoolisées chaque jour;
- b) sauf dans un lieu visé par un permis délivré en vertu de l'alinéa 12(1)c), vendre des boissons alcoolisées dans le lieu visé par le permis entre :
 - (i) 9 h 30 et 2 h le lendemain chaque jour sauf le dimanche,
 - (ii) midi et 2 h le lendemain le dimanche, le Vendredi saint, le jour de Noël et le jour du Souvenir,
 - (iii) 9 h 30 et 2 h 30 le lendemain le 31 décembre.

27 mars 2009 RS 20/2009 art33.

42 Abrogé. 27 mars 2009 RS 20/2009 art34.

Mention autorisant la vente en vue de la consommation hors lieux

43(1) Le titulaire d'un permis de taverne portant une mention autorisant la vente en vue de la consommation hors lieux ouvre le lieu visé par son permis au moins six heures par jour et au moins cinq jours par semaine civile pendant les jours et heures où un titulaire de permis a le droit de vendre des boissons alcoolisées en vertu de l'article 41.

(2) Le titulaire d'un permis portant une mention autorisant la vente de boissons alcoolisées en vue de la consommation hors lieux peut vendre des boissons alcoolisées en vue de la consommation hors lieux:

- a) à n'importe quelle heure et n'importe quel jour que le titulaire du permis peut légalement vendre des boissons alcoolisées dans le lieu visé par son permis;
 - b) pendant la période indiquée à l'article 44.
- (3) Malgré toute autre disposition du présent règlement, le titulaire d'un permis de taverne portant une mention autorisant la vente de boissons alcoolisées en vue de la consommation hors lieux ne peut vendre de boissons alcoolisées avant midi le Vendredi saint, le jour du Souvenir ou le jour de Noël.

10 jan 2003 chA-18.011 Règl 1 art43; 27 mars 2009 RS 20/2009 art35.

Période de grâce

44 Le titulaire d'un permis, autre que le titulaire d'un permis de circonstance, s'assure que le lieu visé par son permis demeure ouvert pendant au moins une demi-heure, mais au plus une heure, après l'heure à laquelle se termine la vente légale de boissons alcoolisées afin de permettre aux personnes à qui ont été servies des boissons alcoolisées de les consommer.

10 jan 2003 chA-18.011 Règl 1 art44.

Ouverture du lieu visé par un permis

45(1) Le titulaire d'un permis de taverne délivré à l'égard d'un lieu visé à l'alinéa 12(1)a) ou d) peut ouvrir le lieu visé entre 5 h et 9 h 30 tous les jours sauf le dimanche, le Vendredi saint, le jour de Noël et le jour du Souvenir, et entre 5 h et midi le dimanche, le Vendredi saint, le jour de Noël et le jour du Souvenir.

(2) Le titulaire d'un permis de restaurant, autre qu'un permis portant une mention en vertu de l'article 11, peut ouvrir le lieu visé par son permis entre 3 h et 9 h 30 tous les jours sauf le dimanche, et entre 3 h et midi le dimanche.

(3) Les paragraphes (1) et (2) n'autorisent pas les titulaires de permis qui y sont visés à vendre, à servir ou à permettre la consommation de boissons alcoolisées dans le lieu visé par leur permis ou à partir de celui-ci pendant les heures y mentionnées.

(4) Malgré le paragraphe (2), le titulaire d'un permis portant une mention en vertu de l'article 11 qui a reçu une autorisation écrite préalable de la régie peut ouvrir le lieu visé par son permis entre 3 h et 9 h 30 tous les jours sauf le dimanche, et entre 3 h et midi le dimanche.

10 jan 2003 chA-18.011 Règl 1 art45; 27 mars
2009 RS 20/2009 art36.

PARTIE X

Autres permis

Restrictions relatives aux permis d'usage médical

46(1) Le titulaire d'un permis d'usage médical délivré en vertu de l'article 77 de la Loi ne peut garder plus de 1,14 litres de boissons alcoolisées au lieu où il exerce sa profession.

(2) Le titulaire de permis visé au paragraphe (1) s'assure que le contenant servant à tenir les boissons alcoolisées y mentionnées porte une étiquette sur laquelle il est clairement indiqué «Réservé à l'usage médical».

10 jan 2003 chA-18.011 Règl 1 art46.

Permis d'usage médical délivrés aux pharmaciens

47(1) Malgré le paragraphe 46(1), le pharmacien titulaire d'un permis d'usage médical valide délivré en vertu de l'article 77 de la Loi peut garder jusqu'à 40 litres de boissons alcoolisées au lieu où il exerce sa profession.

(2) Le titulaire de permis mentionné au paragraphe (1) s'assure que tout contenant servant à tenir les boissons alcoolisées y mentionnées porte une étiquette sur laquelle il est clairement indiqué «Réservé à l'usage médical».

10 jan 2003 chA-18.011 Règl 1 art47.

Permis d'usage sans consommation

48 Le titulaire d'un permis d'usage sans consommation délivré en vertu de l'article 83 de la Loi s'assure que tout contenant servant à tenir les boissons alcoolisées en sa possession porte une étiquette sur laquelle il est clairement indiqué «Impropres à la consommation humaine - réservé à des fins industrielles».

10 jan 2003 chA-18.011 Règl 1 art48.

Boissons alcoolisées à des fins éducatives

49 Tout organe dirigeant d'un établissement d'enseignement qui achète des boissons alcoolisées à la régie en vertu de l'article 84 de la Loi s'assure que le contenant servant à tenir l'alcool qui se trouve en sa possession porte une étiquette sur laquelle il est clairement indiqué «Impropres à la consommation humaine - réservé à des fins éducatives».

10 jan 2003 chA-18.011 Règl 1 art49.

Boissons alcoolisées à des fins sacramentelles

50(1) Le titulaire d'un permis délivré en vertu de l'article 86 de la Loi ne peut vendre, expédier ou livrer du vin, sauf en conformité avec une commande écrite d'une personne légalement autorisée à acheter le vin.

(2) Le titulaire d'un permis délivré en vertu de l'article 86 de la Loi qui vend ou livre du vin à une personne tient un registre:

- a) de la quantité de vin vendu et livré;
- b) des personnes à qui le vin a été vendu et livré.

10 jan 2003 chA-18.011 Règl 1 art50.

PARTIE XI

Dispositions générales

Demandes et documentation à l'appui

51(1) Les définitions qui suivent s'appliquent au présent article.

«débit» Tout emplacement ou endroit à l'égard duquel une demande de permis est présentée. (*"outlet"*)

«lieu» Le lieu où un débit projeté doit être situé. (*"premises"*)

(2) L'auteur d'une demande de permis, autre qu'un permis de circonstance:

- a) doit prouver à la satisfaction de la régie qu'il a droit à la possession du lieu;

- b) accompagne la demande, si la régie l'exige, des détails suivants:
- (i) le plan d'implantation du débit préparé à l'échelle, en quatre exemplaires, démontrant clairement le schéma d'étage et la disposition physique:
 - (A) des toilettes,
 - (B) de la salle d'entreposage,
 - (C) du lieu de préparation et de service des produits alimentaires et des boissons alcoolisées,
 - (D) tous autres détails relativement au lieu et aux chatels qui s'y trouvent ou qui y sont utilisés et que la régie peut exiger,
 - (ii) dans le cas de l'auteur d'une demande qui n'est pas un particulier et où la régie l'exige, les noms de tous:
 - (A) les associés d'une société de personnes,
 - (B) les actionnaires d'une société par actions,
 - (C) les membres d'une association coopérative ou d'une société sans but lucratif.
- (3) La régie peut exiger que l'auteur d'une demande de permis de restaurant, de permis de taverne ou de permis d'usage spécial affiche un avis de sa demande dans le lieu projeté, si le lieu n'a pas fait l'objet d'un permis pendant au moins 60 jours consécutifs avant la date de la demande.
- (4) L'avis prévu au paragraphe (3) doit remplir les conditions suivantes :
- a) il doit être affiché bien en évidence dans le lieu projeté pendant deux semaines consécutives;
 - b) il doit être rédigé dans une forme que la régie juge acceptable;
 - c) il doit préciser le type de permis demandé;
 - d) il doit préciser la date à laquelle il a été affiché;
 - e) il doit préciser que toute opposition à la délivrance du permis doit être présentée par écrit à la régie dans les deux semaines qui suivent la date visée à l'alinéa d).

10 jan 2003 chA-18.011 Règl 1 art51; 27 mars
2009 RS 20/2009 art37.

Demandes de mentions

52 Le présent règlement n'empêche pas une personne de présenter une demande de mention et une demande de permis en même temps.

10 jan 2003 chA-18.011 Règl 1 art52.

Droits

53(1) L'auteur d'une demande de permis visé à l'article 3, autre qu'un permis de circonstance, verse des droits de demande de 200 \$.

(2) Sous réserve du paragraphe (3), l'auteur d'une demande de permis verse le droit applicable au permis fixé au tableau 2 ou 3 de l'annexe A.

(3) L'auteur d'une demande de permis visé à l'article 77, 83, 85, 86 ou 87 de la Loi verse le droit applicable au permis fixé au tableau 4 de l'annexe A.

(4) L'auteur d'une demande de mention verse le droit applicable à la mention fixé au tableau 5 de l'annexe A.

(5) L'auteur d'une demande de transfert de permis visé à l'article 69.1 de la Loi verse des droits de demande de 50 \$.

(6) La régie peut, si elle annule un permis délivré en vertu du présent règlement ou une licence délivrée avant l'entrée en vigueur du présent règlement, à son appréciation, rembourser tout montant calculé au prorata qu'elle estime indiqué.

10 jan 2003 chA-18.011 Régl 1 art53.

Transferts de permis – circonstances

54 La régie peut autoriser le transfert d'un permis en conformité avec l'article 69.1 de la Loi dans les cas suivants:

- a) un associé se retire d'une société de personnes qui était titulaire d'un permis et les associés restants demandent le transfert du permis;
- b) le titulaire du permis, étant propriétaire d'une entreprise individuelle, accomplit les actes suivants:
 - (i) il fonde une société par actions dont il est l'unique dirigeant, administrateur et actionnaire,
 - (ii) il demande à la régie d'accorder le transfert du permis à la société par actions;
- c) le titulaire du permis est composé de membres d'une société de personnes qui accomplissent les actes suivants:
 - (i) ils fondent une société par actions dont ils sont les dirigeants, administrateurs et actionnaires exclusifs,
 - (ii) ils demandent à la régie d'accorder le transfert du permis à la société par actions;
- d) le titulaire du permis est une société par actions dont les dirigeants, les administrateurs et les actionnaires accomplissent les actes suivants:
 - (i) ils fondent une nouvelle société par actions dont ils sont les dirigeants, administrateurs et actionnaires exclusifs,
 - (ii) ils demandent à la régie d'accorder le transfert du permis à la nouvelle société par actions;

e) le titulaire du permis est une société par actions dont l'unique dirigeant, administrateur et actionnaire accomplit les actes suivants:

- (i) il devient propriétaire d'une entreprise individuelle,
- (ii) il demande à la régie d'accorder le transfert du permis de la société par actions;

f) le titulaire du permis est une société par actions dont les dirigeants, les administrateurs et les actionnaires accomplissent les actes suivants:

- (i) ils fondent une société de personnes,
- (ii) ils demandent à la régie d'accorder le transfert du permis à la société de personnes;

g) un syndic de faillite ou un séquestre nommé par la cour accomplit les actes suivants:

- (i) il se porte acquéreur de l'entreprise du titulaire de permis en sa qualité de syndic de faillite ou de séquestre nommé par la cour,
- (ii) il demande à la régie d'accorder le transfert du permis du titulaire;

h) un créancier hypothécaire, un franchiseur ou un bailleur accomplit les actes suivants:

- (i) il prend possession légitime du lieu objet du permis,
- (ii) il demande à la régie d'accorder le transfert du permis du débiteur hypothécaire, du franchisé ou du preneur à bail, selon le cas.

10 jan 2003 chA-18.011 Règl 1 art54.

Vente de bière fabriquée à l'extérieur de la Saskatchewan

55 La régie peut, si elle a acheté de la bière fabriquée au Canada, mais à l'extérieur de la Saskatchewan par un brasseur titulaire d'un permis, l'autoriser à vendre et à livrer la bière pour le compte de la régie à tout titulaire de permis:

- a) que la régie lui indique;
- b) sous réserve des modalités que lui impose la régie.

10 jan 2003 chA-18.011 Règl 1 art55.

Échantillons de boissons alcoolisées

56(1) Sous réserve du paragraphe (2), la régie peut autoriser une personne à fournir des échantillons de boissons alcoolisées à des personnes qui ne sont pas des mineurs, si :

- a) chaque échantillon individuel ne contient pas plus :
 - (i) d'une demi-once ou 14,25 millilitres, dans le cas de spiritueux,
 - (ii) de deux onces ou 57 millilitres, dans le cas de vin,
 - (iii) de quatre onces ou 114 millilitres, dans le cas de bière ou de panaché;

- b) la dégustation des échantillons a lieu :
 - (i) soit dans un magasin,
 - (ii) soit dans une franchise,
 - (iii) soit dans un lieu visé par un permis d'usage spécial portant une mention relative à un salon professionnel,
 - (iv) soit dans un lieu approuvé par la régie pour la vente et la consommation de boissons alcoolisées régies par un permis de circonstance.
- (2) Le paragraphe (1) ne s'applique pas aux essais de boissons alcoolisées effectués dans une brasserie libre-service ou une vinerie libre-service sous le régime de l'article 16.5.

27 mars 2009 RS 20/2009 art38.

57 Abrogé. 27 mars 2009 RS 20/2009 art39.

Comment servir les boissons alcoolisées

58(1) Le titulaire de permis s'assure:

- a) que chaque portion de consommation contenant des spiritueux qu'il vend ou sert contient une once ou 28,5 millilitres de spiritueux en la forme dans laquelle ils ont été achetés à la régie;
- b) qu'à la demande d'un client, la consommation qu'il lui sert lui est présentée avec un récipient distinct pour chacune des composantes suivantes:
 - (i) les boissons alcoolisées,
 - (ii) les allongeurs,
 - (iii) la glace;
- c) qu'il sert toutes les boissons alcoolisées à partir du contenant original dans lequel il les a achetées à la régie;
- d) que tous les spiritueux que contient une consommation qu'il sert sont mesurés au moyen:
 - (i) d'un verre clairement marqué d'une ligne indiquant le niveau auquel la quantité de spiritueux que va contenir la consommation sera mesurée,
 - (ii) d'un appareil de mesure mécanique ou électronique.
- (2) Les panachés peuvent être vendus en pleines bouteilles.
- (3) Quiconque est autorisé par la régie à fournir des échantillons de boissons alcoolisées s'assure :
 - a) sous réserve de l'alinéa b), que chaque échantillon vendu ou servi ne contient pas plus que la quantité de boisson alcoolisée prévue au paragraphe 56(1);
 - b) dans le cas d'une brasserie libre-service ou d'une vinerie libre-service, que soient respectées les prescriptions de l'article 16.5 régissant la quantité de boisson alcoolisée dans un échantillon et le nombre maximal d'échantillons pour chaque lot de boissons alcoolisées fabriquées.

Limites d'importation

59 Pour l'application de l'alinéa 107(2)e) de la Loi, la quantité maximale de boissons alcoolisées achetées ou acquises au Canada, à l'exception de la Saskatchewan, qu'une personne peut apporter en Saskatchewan est, dans le cas:

- a) de spiritueux, 1,14 litres;
- b) du vin, 1,14 litres;
- c) de la bière, de panachés, ou de toute combinaison des deux, neuf litres.

10 jan 2003 chA-18.011 Règl 1 art59.

60 Abrogé. 27 mars 2009 RS 20/2009 art41.

61 Abrogé. 27 mars 2009 RS 20/2009 art42.

La régie peut agir à titre de mandataire

62 Pour l'application du paragraphe 135(1) de la Loi, la régie peut faire du démarchage, réserver, prendre ou solliciter des commandes et agir à titre de mandataire ou d'intermédiaire pour la vente ou l'achat de boissons alcoolisées.

10 jan 2003 chA-18.011 Règl 1 art62.

Divertissement interdit

63(1) Chaque permis contient la stipulation selon laquelle son titulaire ne peut permettre, dans le lieu visé par son permis ou tout lieu visé par un permis de circonstance:

- a) tout activité ou divertissement comportant de la nudité;
- b) toute activité ou divertissement consistant en un numéro de déshabillage progressif ou un concours de vêtements mouillés.

(2) L'article 139 de la Loi ne s'applique pas au titulaire de permis qui contrevient au paragraphe (1).

10 jan 2003 chA-18.011 Règl 1 art63; 27 mars 2009 RS 20/2009 art43.

Formules

64(1) Les demandes de révision formées en vertu des articles 30 et 31 de la Loi sont établies essentiellement en la formule A de l'annexe B.

(2) Les demandes d'audience orale formées en vertu de l'article 33 ou 39.1 de la Loi sont établies essentiellement en la formule B de l'annexe B.

(3) L'avis que doit publier la régie qui reçoit une demande de permis en vertu de l'article 49 de la Loi est établi essentiellement en la formule C de l'annexe B.

10 jan 2003 chA-18.011 Règl 1 art64.

Frais de reprise en stock

65 La régie peut prélever, en vertu du paragraphe 65(2) de la Loi, des frais de reprise en stock équivalant 10% du prix courant de tous les produits qui lui sont retournés.

10 jan 2003 chA-18.011 Règl 1 art65.

Boutiques de vente de boissons alcoolisées hors taxe

66 Lorsque la régie établit et exploite ou autorise une personne à établir et à exploiter une boutique de vente de boissons alcoolisées hors taxe en vertu de l'article 102 de la Loi, la boutique peut demeurer ouverte à tout moment pour permettre aux personnes qui quittent le Canada là où est située la boutique d'acheter des boissons alcoolisées hors taxe.

10 jan 2003 chA-18.011 Règl 1 art66.

Motifs d'opposition qui ne nécessitent pas une audience de la commission

67 Pour l'application du paragraphe 26(1.1) de la Loi, la commission ne tient pas d'audience orale lorsqu'une personne a déposé une opposition en vertu du paragraphe 49(3) de la Loi et que les motifs d'opposition sont fondés sur des questions de concurrence dans l'industrie des boissons alcoolisées.

10 jan 2003 chA-18.011 Règl 1 art67.

Motifs d'opposition qui ne font pas naître le droit d'être entendu

68 Pour l'application du paragraphe 29(3) de la Loi, l'occasion d'être entendu ou de faire des observations écrites lors d'une audience orale n'est pas donnée à l'auteur d'une opposition déposée en vertu du paragraphe 63(1) de la Loi si les motifs de l'opposition sont fondés sur des questions de concurrence dans l'industrie des boissons alcoolisées.

10 jan 2003 chA-18.011 Règl 1 art68.

Motifs d'opposition qui ne donnent pas à leur auteur le droit de recevoir un avis d'audience

69 Pour l'application du paragraphe 63(6) de la Loi, un avis d'audience écrit n'est pas donné à l'auteur d'une opposition déposée en vertu du paragraphe 63(1) de la Loi si les motifs de l'opposition sont fondés sur des questions de concurrence dans l'industrie des boissons alcoolisées.

10 jan 2003 chA-18.011 Règl 1 art69.

Mentions révisables

70 La mention accordée en vertu de l'alinéa 33(1)b) ou c) est prescrite, à titre de mention révisable, aux fins de la définition de «**mention révisable**» à l'article 2 de la Loi.

10 jan 2003 chA-18.011 Règl 1 art70.

Pénalités administratives

71(1) Pour l'application de l'article 39.1 de la Loi, toute pénalité imposée par la régie ou la commission à l'encontre d'un titulaire de permis doit se situer dans les limites fixées au tableau 6.

(2) Si une pénalité est imposée par la régie ou la commission à l'encontre d'un titulaire de permis, mais qu'aucune limite n'est fixée à cet égard au tableau 6, la pénalité doit se situer entre 500 \$ et 10 000 \$.

10 jan 2003 chA-18.011 Règl 1 art71; 27 mars
2009 RS 20/2009 art44.

PARTIE XII**Mesures transitoires, abrogation et entrée en vigueur****Mesures transitoires**

72 Le titulaire d'une licence de catégorie «A», de catégorie «B» ou de catégorie «C» délivrée avant le 20 janvier 1995 continue de jouir des mêmes pouvoirs et privilèges à l'égard de la vente et de la livraison de boissons alcoolisées et de l'exploitation du lieu visé par la licence qu'il avait avant cette date et est soumis aux mêmes devoirs et responsabilités auxquels il était soumis avant cette date.

10 jan 2003 chA-18.011 Règl 1 art72.

Abrogation du R.R.S., ch. A-18.01, Règl. 3

73 Le règlement intitulé *The Alcohol Control Regulations, 1994* est abrogé.

10 jan 2003 chA-18.011 Règl 1 art73.

Abrogation du R.R.S., ch. L-18, Règl. 1

74 Le règlement intitulé *The Liquor (Certificate of Analysis) Regulations* est abrogé.

10 jan 2003 chA-18.011 Règl 1 art74.

Abrogation du R.R.S., ch. L-18, Règl. 2

75 Le règlement intitulé *The Duty-free Liquor Stores Regulations* est abrogé.

10 jan 2003 chA-18.011 Règl 1 art75.

Entrée en vigueur

76(1) Sous réserve du paragraphe (2), le présent règlement entre en vigueur le jour de l'entrée en vigueur de l'article 1 de la *Loi de 1997 sur la réglementation des boissons alcoolisées et des jeux de hasard*.

(2) Si le présent règlement est déposé auprès du registraire des règlements après le jour de l'entrée en vigueur de l'article 1 de la *Loi de 1997 sur la réglementation des boissons alcoolisées et des jeux de hasard*, le présent règlement entre en vigueur à la date de son dépôt auprès de lui.

10 jan 2003 chA-18.011 Règl 1 art76.

Annexe A

TABLEAU 1 [Paragraphe 34(1)] Mentions autorisant la vente en vue de la consommation hors lieux	
<i>Population de la municipalité</i>	<i>Nombre maximal de mentions</i>
Jusqu'à 2 500	1
2 501 à 5 000	2
5 001 à 10 000	3
10 001 à 15 000	4
15 001 à 20 000	5
20 001 à 25 000	6
25 001 à 30 000	7

TABLEAU 2 [Paragraphe 53(2)] Droits exigibles pour les permis ordinaires					
<i>Article</i>	<i>Genre de permis</i>	<i>Cité</i>	<i>Ville</i>	<i>Village</i>	<i>Hameau</i>
1	Permis de restaurant	250 \$	175 \$	125 \$	75 \$
2	Permis de taverne, autre qu'une boîte de nuit	200 \$	150 \$	100 \$	50 \$
3	Permis de taverne, boîte de nuit	600 \$	250 \$	250 \$	250 \$
4	Permis d'usage spécial	200 \$	150 \$	100 \$	50 \$
5	Permis de fabricant	500 \$	500 \$	500 \$	500 \$
6	Permis temporaire ou provisoire	100 \$	100 \$	100 \$	100 \$
7	Permis de brasserie libre-service ou de vinerie libre-service	200 \$	150 \$	100 \$	50 \$

TABLEAU 3 [Paragraphe 53(2)] Droits exigibles pour les permis de circonstance		
Article	Genre de permis	Droit
1	Permis de circonstance	
	– vente de boissons alcoolisées	25 \$
	– vente en recouvrement des coûts seulement	15 \$
2	Permis de circonstance – aucune vente	15 \$
3	Permis de circonstance – pour une période prolongée en vertu du paragraphe 22(5)	15 \$
4	Permis de circonstance – pour une période prolongée, pour des réunions en vertu du paragraphe 23(1) ou des rencontres mondaines en vertu du paragraphe 23(2)	
	– vente	100 \$
	– aucune vente	50 \$

TABLEAU 4 [Paragraphe 53(3)] Droits exigibles pour les permis divers		
Article	Genre de permis	Droit
1	Permis accordé à un pharmacien, à un médecin, à un dentiste ou à un vétérinaire	5 \$
2	Permis accordé à une personne qui exploite une entreprise qui exige des boissons alcoolisées à des fins mécaniques ou de fabrication ou à des fins scientifiques	5 \$
3	Permis accordé à un établissement d'enseignement pour des cours de préparation des cocktails et de service dans les bars	5 \$
4	Permis accordé à une personne exploitant une entreprise de vente de fournitures ecclésiastiques	10 \$
5	Permis de concours – vin ou bière de fabrication domestique	10 \$

TABLEAU 5 [Paragraphe 53(4)] Droits exigibles pour les mentions					
Article	Genre de mention	Cité	Ville	Village	Hameau
1	Vente de boissons alcoolisées dans un lieu adjacent	350 \$	250 \$	175 \$	100 \$
2	Mention accordée en vertu des articles 9 ou 15, autorisant la livraison et la vente de boissons alcoolisées en vue de la consommation à un endroit visé par un permis de circonstance	250 \$	100 \$	100 \$	100 \$
3	Vente de boissons alcoolisées en vue de la consommation hors lieux	100 \$	75 \$	50 \$	25 \$
4	Mention de boîte de nuit accordée au titulaire d'un permis de restaurant	100 \$	75 \$	50 \$	25 \$
5	Vente de vin en vue de la consommation hors du lieu d'un restaurant	50 \$	25 \$	10 \$	10 \$

TABLEAU 6
[Paragraphe 71(1)]

Limites aux pénalités

Les dispositions indiquées dans la colonne 3 sont les dispositions de la Loi et du présent règlement qui imposent au titulaire de permis les interdictions ou les exigences décrites à la colonne 2. Pour l'application de l'article 39.1 de la Loi, les fourchettes des pénalités que peuvent imposer la régie ou la commission pour défaut de se conformer à ces dispositions sont fixées à la colonne 4.

<i>Colonne 1</i>	<i>Colonne 2</i>	<i>Colonne 3</i>	<i>Colonne 4</i>
Article	Contravention	Disposition	Fourchette des pénalités exprimées en dollars
<i>Mineurs (moins de 19 ans)</i>			
1	Vendre ou donner des boissons alcoolisées à un mineur	110(1) – Loi	1 000 \$ à 10 000 \$
2	Vendre ou fournir des boissons alcoolisées à une personne qui est apparemment mineure	129(1)e) – Loi	1 000 \$ à 10 000 \$
3	Omettre d'exiger la preuve d'âge d'une personne dans un lieu dans lequel un mineur : a) n'a pas le droit de se trouver; b) peut avoir le droit de se trouver, mais tente d'acheter des boissons alcoolisées	111(1) – Loi	500 \$ à 10 000 \$
4	Permettre la présence de mineurs dans un lieu où la Loi, le règlement ou les modalités du permis ne permettent pas leur présence	111(6) – Loi	500 \$ à 10 000 \$
5	Permettre à un mineur d'agir de quelque façon que ce soit dans la vente, la manipulation ou le service de boissons alcoolisées dans le lieu	113(1)b) – Loi	500 \$ à 10 000 \$
6	Permettre à un mineur de consommer des boissons alcoolisées dans un lieu ouvert à des mineurs	113(1)c) – Loi	1 000 \$ à 10 000 \$
<i>Vente aux personnes en état d'ébriété</i>			
7	Vendre ou fournir des boissons alcoolisées à une personne qui semble se trouver en état d'ébriété	125 – Loi	1 000 \$ à 10 000 \$

<i>Nombre maximal de personnes</i>			
8	Permettre la présence dans le lieu d'un nombre de personnes qui dépasse le nombre maximal permis	120 – Loi	500 \$ à 10 000 \$
<i>Vente ou consommation pendant les heures ou les jours fixés par règlement</i>			
9	Vendre des boissons alcoolisées ou permettre leur consommation dans le lieu sauf pendant les heures et les jours où elles peuvent être servies ou consommées légalement	71(1) – Loi	500 \$ à 10 000 \$
10	Vendre ou fournir des boissons alcoolisées pendant les heures ou les jours d'interdiction	129(1)f) – Loi	500 \$ à 10 000 \$
11	Omettre de s'assurer que le lieu demeure ouvert pendant au moins une demi-heure, mais au plus une heure, après l'heure à laquelle se termine la vente légale de boissons alcoolisées	44 – Règlement	500 \$ à 10 000 \$
12	Omettre d'ouvrir le lieu pour la vente de boissons alcoolisées pendant les heures prescrites ou pendant le nombre minimal d'heures ou de jours prescrit	43 – Règlement	500 \$ à 10 000 \$
13	Permettre à des personnes d'entrer ou de demeurer dans le lieu lorsque la vente ou la consommation de boissons alcoolisées y est interdite	116 – Loi	500 \$ à 10 000 \$
<i>Achat, possession ou vente illégale de boissons alcoolisées</i>			
14	Acheter des boissons alcoolisées à quelqu'un d'autre que la régie, une franchise ou dans le cas de titulaires de permis prescrits, les titulaires de permis prescrits par règlement	129(1)a) – Loi	500 \$ à 10 000 \$
15	Vendre des boissons alcoolisées non fournies par la régie	129(1)c) – Loi	500 \$ à 10 000 \$
16	Avoir sur les lieux des boissons alcoolisées non fournies par la régie	129(1)b) – Loi	500 \$ à 10 000 \$
17	Vendre des boissons alcoolisées sans détenir une licence délivrée en vertu de la loi intitulée <i>The Liquor Consumption Tax Act</i>	4(4) – Règlement	500 \$ à 10 000 \$

<i>Divertissement</i>			
18	Permettre dans le lieu un divertissement, un jeu, un sport ou toute autre activité qui est illégal, peut nuire à la bonne exploitation du lieu, est interdit par la municipalité où le lieu se trouve ou est prescrit par règlement	128(1)a), b), c) et d) – Loi	500 \$ à 10 000 \$
<i>Service à la clientèle</i>			
19	Pour le titulaire d'un permis de restaurant, servir des boissons alcoolisées à un client sans lui servir un repas	10(1) – Règlement	500 \$ à 10 000 \$
20	Omettre de s'assurer que la ratio des ventes de nourriture par rapport aux ventes de boissons alcoolisées du lieu est d'au moins un dollar tiré de la vente de nourriture pour chaque dollar tiré de la vente de boissons alcoolisées	10(2) – Règlement	500 \$ à 10 000 \$
21	Omettre de garder une provision de boissons non alcoolisées ou de nourriture pour les clients dans le lieu visé par le permis et dans tout salon-bar, terrasse ou salle de banquet du lieu visé par le permis, ou à l'endroit où se déroule l'occasion spéciale	36 – Règlement	500 \$ à 10 000 \$
22	Adultérer ou diluer des boissons alcoolisées ou offrir en vente des boissons alcoolisées adultérées ou diluées	129(1)d) – Loi	500 \$ à 10 000 \$
23	Omettre de s'assurer que chaque portion de consommation contenant des spiritueux vendus ou servis contient une once ou 28,5 ml de spiritueux en la forme dans laquelle ils ont été achetés à la régie	58(1)a) – Règlement	500 \$ à 10 000 \$

24	Omettre de s'assurer que chaque échantillon de boisson alcoolisée contient au plus la quantité prescrite	56(1) – Règlement	500 \$ à 10 000 \$
25	Omettre de se conformer à l'article 16.5 en ce qui concerne le nombre maximal d'échantillons ou le volume maximal des échantillons	16.5 – Règlement	500 \$ à 10 000 \$
26	Permettre aux clients d'emporter et de consommer les boissons alcoolisées hors des lieux	75(4) – Loi	500 \$ à 10 000 \$
<i>Obstruction</i>			
27	Pour un titulaire de permis, refuser à un agent l'accès à son lieu, à ses livres, registres ou autres documents afin qu'il puisse effectuer une inspection	45(1) – Loi	500 \$ à 10 000 \$

Annexe B
FORMULE A
[Articles 30 et 31 de la Loi]

Demande de révision d'une décision de la régie

Destinataire: La Commission des permis d'alcool et des licences de jeux de hasard

(nom de l'organisme ou du particulier)

sollicite la révision de la décision de la régie pour les motifs suivants:

☐

Le requérant sollicite la tenue d'une audience orale devant la commission.

OU

☐

Le requérant ne sollicite pas la tenue d'une audience orale devant la commission, mais lui fournira des observations écrites.

Personne-ressource: _____	
Adresse: _____	

N° de téléphone: [maison] _____	[travail] _____

Signature

Date

RÉSERVÉ À L'USAGE DU BUREAU	
Date: _____	
Remis: _____	
Refusé: _____	

FORMULE B
[Article 33 ou 39.1 de la Loi]

Demande d'audience orale

Destinataire: La Commission des permis d'alcool et des licences de jeux de hasard

(nom de l'organisme ou du particulier)

sollicite une audience orale pour les motifs suivants:

Personne-ressource: _____
Adresse: _____

N° de téléphone: [maison] _____ [travail] _____

Signature

Date

RÉSERVÉ À L'USAGE DU BUREAU	
Date: _____	
Remis: _____	
Refusé: _____	

FORMULE C
[Article 49 de la Loi]
Avis réglementaire à publier

Sachez que _____
(nom de l'auteur de la demande)

a présenté une demande à la Régie des alcools et des jeux de hasard en vue de se faire
accorder un permis de _____
(catégorie de permis)

avec la mention _____ l'autorisant à vendre des
(n'énumérer que les mentions révisables)
boissons alcoolisées dans un lieu situé à _____ ,
(cité, ville, village, hameau, municipalité
rurale ou municipalité du nord)

(s'il s'agit d'un hameau, fournir le nom de la municipalité rurale ou de la municipalité du nord, selon le cas).

La description officielle exacte du lieu est la suivante:

(décrire l'emplacement du lieu, en donnant le numéro de la parcelle ou celui du lot, du quadrilatère et du
plan et, le cas échéant, le nom de la rue).

Fait à _____ (Saskatchewan), le _____ , 20 _____ .

Régie des alcools et des jeux de hasard

10 jan 2003 chA-18.011 Règl 1.

The Ambulance Regulations

being

Chapter A-18.1 Reg 1
(effective July 1, 1989) as amended
by Saskatchewan Regulations 52/2009.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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52 Repealed

PART VIII

Qualifications of Attendants

- 53 Qualifications
54 Repealed

Appendix

CHAPTER A-18.1 REG 1

The Ambulance Act

PART I

Title and Interpretation

Title

- 1 These regulations may be cited as *The Ambulance Regulations*.

Interpretation

- 2 In these regulations:

- (a) **“Act”** means *The Ambulance Act*;
- (b) **“ambulance licence”** means a licence issued pursuant to section 32 of the Act;
- (c) **“attendant”** means a person who is under the control and direction of an operator and who:
 - (i) responds to a call for ambulance service; or
 - (ii) attends a patient while the patient is being cared for or transported in an ambulance;
- (d) **“physician”** means a physician who is entitled to practise medicine pursuant to *The Medical Profession Act, 1981*;
- (e) **“practising member”** means a member of the Saskatchewan College of Paramedics to whom a current licence to practise has been issued pursuant to *The Paramedics Act*;
- (f) **“registered nurse”** means a registered nurse as defined in *The Registered Nurses Act, 1988*.

PART II

Rates**Interpretation of Part****3 In this Part:**

- (a) **“incomplete call”** means any call that:
 - (i) is cancelled en route; or
 - (ii) results in a patient not being carried on the ambulance even though the ambulance arrives at the scene;
- (b) **“stand-by time”** means that period during which an ambulance and crew stands by at:
 - (i) a sporting event;
 - (ii) a public meeting; or
 - (iii) an emergency;

at the request of a person, group or agency, but not with respect to a particular patient;

- (c) **“waiting time”** means the period during which an ambulance and crew are required to wait while a patient is being examined or treated at a location to which the patient has been transported for examination or treatment.

14 Jly 89 cA-18.1 Reg 1 s3.

Rates

4(1) A board shall, by resolution, establish rates for the purpose of this Part and, for that purpose, shall include in the rates:

- (a) a basic rate per call for each patient carried;
- (b) a rate per kilometre travelled by the ambulance on the call;
- (c) a rate per half hour of waiting time, to be calculated:
 - (i) per half hour; or
 - (ii) per portion of a half hour;

with no charge for the first half hour;

- (d) where applicable, rates for interfacility transfers within an urban area, where responsibility for payment rests with the transferring facility;
- (e) a rate per hour of stand-by time; and
- (f) a rate for an incomplete call.

(2) Subject to the prior approval of the minister, a board may, by resolution, establish rates for other services provided by operators.

14 Jly 89 cA-18.1 Reg 1 s4.

Charges

5(1) An operator shall:

(a) charge the rates established pursuant to section 4 by the board with which the operator has entered into a contract; and

(b) apply the rates mentioned in clause (a) to each service provided by the operator in accordance with the terms as specified in the contract.

(2) No operator shall levy any other charges except those that are specifically allowed by these regulations.

14 Jly 89 cA-18.1 Reg 1 s5.

Idem

6(1) Where more than one patient is transported on a call, an operator may charge a separate basic rate pursuant to clause 4(a) per patient carried but no operator shall charge for applicable waiting time more than once regardless of the number of patients transported at the same time.

(2) Where more than one patient is transported on a call that involves waiting time, the operator shall allocate the charge for waiting time among those patients, as the circumstances warrant.

(3) Where more than one patient is transported on a call at the same time, no operator shall charge each patient for the distance travelled an amount that is greater than 75% of the charge for the total number of return kilometres at the rate established pursuant to clause 4(b).

(4) Where one patient is transported on a call and another patient is transported on the return trip, an operator may charge each patient:

(a) a separate basic rate pursuant to clause 4(a); and

(b) not more than 75% of the charge pursuant to clause 4(b) for the total number of kilometres travelled by the ambulance on the call.

(5) Where a call involves waiting time for which a charge is made pursuant to clause 4(c), the trip made by the operator to the place where the wait occurs and the trip made by the operator away from that place are deemed to be part of the same call.

(6) Where, due to the nature of a motor vehicle accident or other incident, an ambulance operator provides a rescue or extrication service through the use of a specialized vehicle or specialized equipment, the operator shall not charge an additional amount for the service unless a charge for that service has been established by resolution of the board with which the operator has entered into a contract.

14 Jly 89 cA-18.1 Reg 1 s6.

Special rates

7(1) **Repealed.** 29 May 2009 SR 52/2009 s4.

(2) Notwithstanding sections 4, 5 and 6, an operator may charge a different rate with respect to services provided:

(a) to a person who is not a beneficiary pursuant to *The Saskatchewan Medical Care Insurance Act*; or

(b) pursuant to an agreement with any person made with respect to a patient who is eligible to receive services from that person.

(3) **Repealed.** 29 May 2009 SR 52/2009 s4.

14 Jly 89 cA-18.1 Reg 1 s7; 29 May 2009 SR 52/2009 s4.

Different rates

8(1) Subject to subsection (2), if an operator responds to a call on behalf of a resident in a health region, other than the health region to which the operator is under contract to provide services, the operator shall charge the rate of the board to which the operator is under contract.

(2) If the rate of the board to which the ambulance is responding is higher than the rate of the board to which the operator is under contract to provide services, the higher rate applies.

29 May 2009 SR 52/2009 s5.

Change of rates

9(1) Where a board resolves to change the rates established pursuant to this Part, it shall notify the minister of the changes at least 30 days prior to the rates becoming effective.

(2) A change of rates becomes effective on the later of:

(a) the day specified in the notice mentioned in subsection (1); or

(b) 30 days after the minister receives the notice mentioned in subsection (1).

14 Jly 89 cA-18.1 Reg 1 s9.

PART III**Emergency Medical Technicians**

Repealed. 29 May 2009 SR 52/2009 s6.

PART IV
Vehicle and Equipment Standards

Standards

19(1) Every operator shall ensure, with respect to each ambulance used in the ambulance service he or she operates, that:

- (a) the patient compartment of an ambulance is provided with:
 - (i) a minimum of 127 centimetres between the finished floor and the ceiling;
 - (ii) a minimum of 254 centimetres between the rear-facing attendant seat and the rear door, with clearance in front and back of the stretcher;
 - (iii) a minimum of 450 centimetres between the lower portion of the windshield and the rear door;
 - (iv) a minimum of 86 centimetres of floor width between the floor-to-ceiling cabinet and the squad bench;
 - (v) adequate space and facilities for placement and transport of two patients on stretchers;
 - (vi) readily accessible storage space for the equipment and supplies required pursuant to this Part;
 - (vii) interior surfaces in good repair that are easily cleaned and sanitized; and
 - (viii) seating in the patient compartment for at least one attendant, with at least one attendant's seat to be rear-facing and located at the head of the principal or main stretcher patient;
- (b) each ambulance is constructed and equipped to provide:
 - (i) for:
 - (A) easy loading of stretcher patients by means of a door or doors at the rear of the vehicle; and
 - (B) loading of stretcher patients by means of a door or doors on the passenger side of the vehicle; and
 - (ii) door openings into or out of the patient compartment described in subclause (i) that are designed and equipped to permit the doors to be opened from the inside of the vehicle and that comply with Department of Transportation standards;
- (c) a lap-type safety seat-belt conforming to the standards prescribed in the regulations made pursuant to the *Motor Vehicle Safety Act* (Canada), as amended from time to time, is provided for each seating position in the ambulance, and that the belt locking mechanism and mounting device for the safety seat-belt is properly maintained, is in good working order and meets the Department of Transportation standards;

- (d) each ambulance is provided with:
 - (i) adequate temperature regulation and ventilation for all seasons through:
 - (A) the placement of a fixed rear heater in the patient compartment;
 - (B) the provision of compressor-operated air conditioning; and
 - (C) the placement of a patient compartment exhaust fan;
 - (ii) adequate lighting for the care of patients through:
 - (A) the placement of a minimum of two pairs of high intensity ceiling cot lights of a minimum 15 centimetres in diameter, with each pair to be on a separate electrical circuit; and
 - (B) the placement of low intensity cabinet lights;
 - (iii) storage for the equipment required in these regulations necessary to prevent or minimize projections and sharp edges; and
 - (iv) secure fastening or secure storage for all equipment required by these regulations;
- (e) the electrical loads of all electrical and electronic components do not exceed the ambulance's generating system capacity;
- (f) each ambulance is equipped with an isolated dual battery electrical system with the ability for each battery to simultaneously carry the electrical load described in clause (e);
- (g) each ambulance's generating capacity is not less than 140 amps;
- (h) each ambulance is, subject to *The Vehicle Administration Act*, provided with:
 - (i) either:
 - (A) a light bar, consisting of not less than one and no more than two white rotating sealed beam units and not less than three red rotating sealed beam units, mounted on the roof; or
 - (B) a roof-mounted signal light equivalent to the light bar and units described in paragraph (A);
 - (ii) high intensity red flashing lights with:
 - (A) one pair mounted on the front at or below the lower level of the windshield and one pair mounted on the rear of the ambulance at roof level; and
 - (B) one light mounted on the front left and right quarter panels to serve as intersection warning devices;

- (iii) a minimum of one rear floodlight designed and attached to light the area immediately to the rear of the ambulance automatically on the opening of the rear door or doors;
 - (iv) a minimum of two side floodlights, with a minimum of one on each side, designed and attached to adequately light the general area to each side of the ambulance;
 - (v) a minimum of one high intensity fog-driving light;
 - (vi) an audio warning device that automatically produces continuous multiple tones; and
 - (vii) a public address system;
- (i) the lights required by subclause (h)(ii) are on a different electrical circuit from the lights required by subclause (h)(i);
 - (j) the controls for the signals and devices required by clause (h) are readily accessible to the driver and operable by the driver while seated in the driving position;
 - (k) each ambulance is predominantly white with a horizontal Omaha orange reflective band or bands extending along each side of the vehicle, in a proportion and dimension that is appropriate to the design of the vehicle, with a minimum width of 15 centimetres and a maximum width of 45 centimetres;
 - (l) each ambulance displays the word "AMBULANCE":
 - (i) on the front of the vehicle in legible, reverse, blue reflective capitalized lettering that is at least 10 centimetres in height, with lines at least 1.5 centimetres in width making up the letters; and
 - (ii) on the rear of the vehicle in legible blue reflective capitalized lettering that is at least 15 centimetres in height, with lines at least 2.5 centimetres in width making up the letters;
 - (m) each ambulance displays:
 - (i) a blue reflective star of life with a minimum diameter of 30 centimetres on each side of the vehicle; and
 - (ii) a star of life with a minimum diameter of 45 centimetres or an orange cross with a minimum diameter of 120 centimetres centred on the roof of the vehicle;
 - (n) each ambulance displays the unit number of that ambulance as designated by the minister in legible blue reflective lettering, at least 10 centimetres in height, with lines at least 1.5 centimetres in width making up the letters:
 - (i) on each side of the vehicle and located on the upper rear corner; and
 - (ii) on the rear of the vehicle;

- (o) no ambulance has any other lettering, symbols or designs appearing on the exterior of the ambulance except as approved by the minister; and
 - (p) the visibility into the patient compartment of each ambulance is reasonably restricted by the use of tinted or frosted windows.
- (2) Every operator shall ensure that each ambulance used in the ambulance service that he or she operates contains:
- (a) the ambulance accessory equipment in the quantities and in accordance with the specifications prescribed in Tables 1 and 2 of the Appendix; and
 - (b) the medical equipment in the quantities and in accordance with the specifications prescribed in Table 3 of the Appendix.

14 Jly 89 cA-18.1 Reg 1 s19.

Standards for certain services

20 In addition to meeting the requirements of section 19, every operator shall ensure that each ambulance that is designated for use in conjunction with the provision of health services by an emergency medical technician-advanced or an emergency medical technician-paramedic contains the medical equipment and supplies in the quantities and in accordance with the specifications prescribed in Table 4 of the Appendix.

14 Jly 89 cA-18.1 Reg 1 s20.

21 Repealed. 29 May 2009 SR 52/2009 s7.

Maintenance

22(1) Every operator shall maintain each ambulance and the equipment required by these regulations:

- (a) in a safe mechanical condition;
- (b) in proper working order; and
- (c) in a clean and sanitary condition.

(2) Without limiting the generality of clause (1)(c), every operator shall ensure that a detailed policy governing the cleaning and sanitation of ambulances and equipment is developed and implemented.

14 Jly 89 cA-18.1 Reg 1 s22.

Disposable equipment

23(1) Every operator shall:

- (a) maintain disposable equipment or supplies required in these regulations in their original, sterile, sealed packaging; and
- (b) discard the disposable equipment or supplies after use.

(2) Where equipment or supplies required in sections 19 and 20 have a specified shelf-life, the operator shall dispose of that equipment or those supplies in accordance with the shelf-life.

(3) Where equipment that requires sterilization is used, every operator shall ensure that the equipment is sterilized prior to re-use in accordance with manufacturer's specifications.

14 Jly 89 cA-18.1 Reg 1 s23.

Inspections

24(1) Every operator shall:

(a) within 90 days prior to the expiration of a licence issued pursuant to section 32 of the Act, subject each ambulance to a vehicle safety inspection;

(b) at the time of applying for a licence pursuant to section 31 of the Act, file with the minister a report on the vehicle safety inspection on a form provided by the minister for that purpose.

(2) The inspection prescribed in subsection (1) is to be carried out only by a licensed journeyman mechanic.

(3) Where an inspection made pursuant to subsection (1) discloses that an ambulance is not mechanically fit, the operator shall ensure that all repairs required to render it mechanically fit are made.

14 Jly 89 cA-18.1 Reg 1 s24.

25 Repealed. 29 May 2009 SR 52/2009 s8.

Storage

26 Every operator shall ensure that primary response ambulances are stored in a facility in a manner that ensures that the interiors of the ambulances are maintained at a temperature above 10°C.

14 Jly 89 cA-18.1 Reg 1 s26.

PART V

Ambulance Licence

Application for renewal

27 An application for renewal of an ambulance licence to operate an ambulance service shall be submitted not earlier than 90 days and not later than 30 days prior to the date of expiry of the licence.

14 Jly 89 cA-18.1 Reg 1 s27.

Inspection

28(1) On receipt of an application in accordance with section 31 of the Act and prior to issuing an ambulance licence, the minister shall cause an inspection to be made of the ambulance service including:

- (a) the ambulances and equipment to which the application relates;
- (b) the premises from which the ambulance service operates;
- (c) auxiliary equipment or other items related to the ambulance service; and
- (d) any records prescribed in these regulations to be maintained.

(2) In addition to the inspection prescribed in subsection (1), the minister may cause periodic inspections to be made of any ambulance service before or at any time after an ambulance licence is issued.

14 Jly 89 cA-18.1 Reg 1 s28.

Secrecy

29 Each person employed in the administration of the Act or these regulations, including any person making an inspection pursuant to section 28 shall:

- (a) preserve secrecy with respect to all matters that come to the person's knowledge in the course of his or her duties, employment or inspection; and
- (b) not communicate any of the matters mentioned in clause (a) to any other person except as may be required in connection with the administration of the Act and these regulations.

14 Jly 89 cA-18.1 Reg 1 s29.

Term

30 An ambulance licence is valid and effective for the period specified in the licence.

14 Jly 89 cA-18.1 Reg 1 s30.

Boards

31 The minister shall cause a copy of an ambulance licence to be provided to the board to which the operator is under contract to provide services.

29 May 2009 SR 52/2009 s9.

Ambulance list

32 Every licence is to contain a list of the ambulances covered by the licence.

14 Jly 89 cA-18.1 Reg 1 s32.

Display

33 The operator of an ambulance service shall display his or her current licence in a conspicuous place at the main premises from which he operates the ambulance service.

14 Jly 89 cA-18.1 Reg 1 s33.

Condition

34 Every ambulance licence is subject to the condition that the operator use or permit to be used in the ambulance service he or she operates only an ambulance that is:

- (a) designated on the licence;
- (b) approved by the minister for regular use in the operator's ambulance service; or
- (c) authorized by the minister for use during a specific emergency situation.

14 Jly 89 cA-18.1 Reg 1 s34.

Decals

35 When the minister issues an ambulance licence, the minister shall assign a unit number to each ambulance covered by the licence.

14 Jly 89 cA-18.1 Reg 1 s35.

Duty

36 No operator shall fail to comply with any condition specified in his or her licence or in these regulations.

14 Jly 89 cA-18.1 Reg 1 s36.

PART VI**Management of Ambulance Services**

37 Repealed. 29 May 2009 SR 52/2009 s10.

Use

38(1) No operator shall refuse or permit any employee to refuse to provide emergency ambulance service unless it is determined by the operator or the employee that the provision of that service may result in placing attendants in a life-threatening situation.

(2) Every operator shall ensure that:

- (a) the ambulance service is accessible by the public through a dedicated telephone line on a 24-hour per day basis;
- (b) the emergency telephone number for the ambulance service is appropriately advertised in the applicable telephone directories; and
- (c) adequate formal back-up service arrangements are in place.

(3) Subsections (1) and (2) do not apply to an ambulance service which is licensed specifically for industrial use.

14 Jly 89 cA-18.1 Reg 1 s38.

Use of restraint devices

39 Each attendant shall ensure that, as far as possible, every patient transported:

- (a) in a sitting position in an ambulance wears a safety seat-belt or other restraint providing an equivalent degree of safety; and
- (b) on a stretcher in an ambulance is adequately secured to the stretcher, and that the stretcher is adequately secured in the ambulance.

14 Jly 89 cA-18.1 Reg 1 s39.

Other uses

40(1) Subject to subsection (2), no operator shall use or permit the use of an ambulance for any purpose not directly related to the provision of ambulance service.

(2) An operator may use or permit the use of an ambulance to transport medications, medical appliances or human tissue in an emergency, or to transport human remains as permitted pursuant to section 41.

14 Jly 89 cA-18.1 Reg 1 s40.

Deceased persons

41(1) No operator and no attendant shall transport or permit to be transported in an ambulance the remains of any person who:

- (a) has been declared dead by a physician; or
- (b) is obviously dead by reason of decapitation, transection, decomposition or otherwise;

unless the remains of the person are in a public place and it is in the public interest that the remains be removed from that place.

(2) Notwithstanding subsection (1) but subject to subsection (3), the remains of a person may be transported in other cases where:

- (a) no alternate means are conveniently and expediently available; or
- (b) the operator has entered into a contractual arrangement approved by the board to provide those services.

(3) No operator and no attendant shall transport or permit to be transported any remains of a person unless proper arrangements have been made to ensure that an alternate ambulance is readily available for ambulance service during the removal.

(4) Where an ambulance does transport the remains of a person pursuant to this section, the remains are to be transported only as far as the closest mortuary or to a place as directed by a coroner or a physician.

- (5) Where an ambulance transports the remains of a person pursuant to this section, no patient shall be transported in the ambulance at the same time.
- (6) An operator may charge a fee for transporting the remains of a person pursuant to this section.
- (7) Subsections (1) to (6) do not apply where a patient being transported in an ambulance is declared dead by a physician while the ambulance is en route to its destination.

14 Jly 89 cA-18.1 Reg 1 s41.

Direction

42(1) The attendant in charge of an ambulance in which a patient is being transported shall direct the transportation of the patient:

- (a) as directed through medical orders issued by a physician; or
 - (b) where a direction is not made pursuant to clause (a), to the nearest location where, in the opinion of the attendant, the medical attention apparently required for the care of the patient is available.
- (2) Notwithstanding subsection (1), the attendant in charge of an ambulance may direct the transportation of a patient to a destination directed by the patient.
- (3) Where subsection (2) does not apply, a patient who calls for ambulance service, or any person who calls for ambulance service on behalf of a patient, is deemed to have authorized the attendant in charge of the ambulance to direct the transportation of that patient in accordance with subsection (1).

14 Jly 89 cA-18.1 Reg 1 s42.

Patient transfer information

43 Where an ambulance is required to transfer a patient from one location to another, the transferring facility shall provide the attendant with:

- (a) the identity;
 - (b) the medical history; and
 - (c) the reason for transfer;
- of the patient.

14 Jly 89 cA-18.1 Reg 1 s43.

44 Repealed. 29 May 2009 SR 52/2009 s11.

45 Repealed. 29 May 2009 SR 52/2009 s11.

Identification

46 Every emergency medical technician, emergency medical technician-advanced and emergency medical technician-paramedic shall, while on duty, be in possession of identification or display insignia identifying him or her as an "Emergency Medical Technician", "Emergency Medical Technician-Advanced" or "Emergency Medical Technician-Paramedic", as the case may be.

14 Jly 89 cA-18.1 Reg 1 s46.

47 Repealed. 29 May 2009 SR 52/2009 s12.

Staffing

48 Every operator shall ensure that an ambulance responding to a call for ambulance service is staffed with at least two attendants, each of whom holds the qualifications prescribed in Part VIII.

14 Jly 89 cA-18.1 Reg 1 s48.

False identification

49 No person shall identify or permit to be identified any vehicle as an ambulance, whether by sign, marking or otherwise, unless the vehicle is an ambulance that is authorized for use pursuant to these regulations.

14 Jly 89 cA-18.1 Reg 1 s49.

PART VII**Returns and Reports****Employment records**

50(1) Every operator shall keep a register of attendants in which is recorded, with respect to each attendant:

- (a) the name and address of the attendant;
- (b) the date on which the attendant commenced employment;
- (c) the attendant's driver's licence number and the number assigned to the attendant by the minister or the Saskatchewan College of Paramedics;
- (d) the qualifications relevant to employment;
- (e) where applicable, the date of termination of employment.

(2) Every operator shall retain the records mentioned in subsection (1) with respect to each attendant for at least five years following the date on which the attendant leaves the employ of the operator.

(3) Every operator shall cause a report in writing to be made to the minister, on forms supplied by the minister for the purpose:

- (a) prior to the commencement of employment by any attendant; and
- (b) within 14 days following the change in status of any item in subsection (1) or the discontinuance of employment of an attendant with the ambulance service.

14 Jly 89 cA-18.1 Reg 1 s50; 29 May 2009
SR 52/2009 s13.

Operational reports

51(1) Every operator shall:

- (a) cause to be prepared, on forms supplied by the minister for the purpose, a written record of service with respect to each call response;
 - (b) ensure that the portions of a form related to patient identification, history, assessment and treatment are completed immediately on transportation of a patient, and that the balance of the form is completed within 24 hours after the transportation of a patient;
 - (c) ensure that the copies of each record prepared pursuant to clause (a) are distributed in the manner designated on the form; and
 - (d) ensure that any copy of a form designated to be distributed to the minister is forwarded to the minister prior to the end of the month following the month in which the form is completed.
- (2) Each operator shall retain a copy of the forms described in subsection (1) for a period of 10 years from the date of transportation of the patient.
- (3) **Repealed.** 29 May 2009 SR 52/2009 s14.
- (4) **Repealed.** 29 May 2009 SR 52/2009 s14.
- (5) On the request of any person with whom the operator has a contractual arrangement with respect to a patient who is eligible to receive benefits from that person, an operator may disclose or communicate the forms completed pursuant to subsection (1) or any information from the forms to the person named in the request.
- (6) **Repealed.** 29 May 2009 SR 52/2009 s14.
- (7) **Repealed.** 29 May 2009 SR 52/2009 s14.

14 Jly 89 cA-18.1 Reg 1 s51; 29 May 2009
SR 52/2009 s14.

52 **Repealed.** 29 May 2009 SR 52/2009 s15.

PART VIII
Qualifications of Attendants

Qualifications

53(1) Repealed. 29 May 2009 SR 52/2009 s16.

(2) **Repealed.** 29 May 2009 SR 52/2009 s16.

(3) Every operator shall employ as an attendant only:

- (a) a physician;
- (b) a registered nurse; or
- (c) a practising member.

(4) **Repealed.** 29 May 2009 SR 52/2009 s16.

(5) **Repealed.** 29 May 2009 SR 52/2009 s16.

(6) Every attendant who drives an ambulance shall hold a valid class 4 driver's licence issued pursuant to *The Traffic Safety Act*.

(7) In every ambulance service that operates primarily in a city within the meaning of *The Cities Act*, the operator shall ensure that at least one attendant on each call is an emergency medical technician, emergency medical technician-advanced, emergency medical technician-paramedic, registered nurse or physician.

(8) In every ambulance service that operates primarily outside a city within the meaning of *The Cities Act*, the operator:

- (a) is to be; or
- (b) shall employ at least one attendant who is;

an emergency medical technician, emergency medical technician-advanced, emergency medical technician-paramedic, registered nurse or physician who regularly serves as an attendant.

14 Jly 89 cA-18.1 Reg 1 s53; 29 May 2009
SR 52/2009 s16.

54 Repealed. 29 May 2009 SR 52/2009 s17.

Appendix

TABLE 1

[Clause 19(2)(a)]

Ambulance Accessory Equipment (General)

<i>Item</i>	<i>Type</i>	<i>Minimum Number Required</i>	<i>Specifications</i>
1.	Spare tire and wheel and tire changing tools	1	Type suitable to ambulance in which carried
2.	Logging chain	1	Minimum 4.5 metres in length with chain hooks at each end
3.	Rope	1	Minimum 30 metres in length and minimum 12 millimetres in thickness
4.	Flares	4	Red, 15-minute fuse-type stored in a fire retardant container
5.	Hacksaw	1	With six assorted blades
6.	Spade or shovel	1	Capable of shovelling snow or ice
7.	Pry bar	2	One minimum 90 centimetres in length and one minimum 70 centimetres in length
8.	Portable hand lights	2	Battery operated, minimum two "D" cell or equivalent
9.	Fire extinguisher	1	Securely mounted, ABC rated fire extinguisher of a type and size approved by the fire commissioner and maintained in accordance with the fire commissioner's instructions
10.	Winter survival kit	1	Includes: <ul style="list-style-type: none"> (a) two sleeping bags, space blankets or additional blankets; (b) two smokeless candles with holders (minimum length, 15 centimetres); (c) Emergency rations of a type compatible with long-term storage; (d) one metal container to melt snow
11.	Booster cable	1	Set – minimum two metres

12.	Gas line antifreeze	1	Container, minimum 250 millilitres
13.	Radio equipment	1	Two-way communication equipment of a type, power and frequency approved by the minister
14.	Tool kit	1	c/w 10" crescent wrench, multi-screwdriver, one claw hammer, one plier
15.	Safety vests	2	Orange, reflective 14 Jly 89 cA-18.1 Reg 1.

TABLE 2

[Clause 19(2)(a)]

Ambulance Accessory Equipment (Patient Care)

<i>Item</i>	<i>Type</i>	<i>Minimum Number Required</i>	<i>Specifications</i>
1.	Stretchers:		
	(a) Primary stretcher	1	Adjustable, wheeled, with mattress and two restraining straps
	(b) Portable stretcher	1	Folding variety, with two restraining straps and head elevation capability
	(c) Scoop stretcher	1	Separating type, complete with three patient restraints
2.	Stretcher fastening device	1	Crash stable fastener of a type recommended and approved for use by the manufacturer with the primary stretcher and installed as directed by primary manufacturer
3.	Intravenous supports:		
	(a) I.V. pole	1	Adjustable, cot mounted
	(b) I.V. hook(s)	1	Installed ceiling or wall type, non-sway
4.	Short spine	2	One of which shall be a spinal immobilization extrication device such as the K.E.D. or XP1. The second device, if plywood, shall be 80-90 centimetres in length, 45-50 centimetres in width and shall be sanded and finished with slots to permit handhold complete with two 2.5-metre restraining straps and one 1.8-metre restraining strap

5.	Long spine board	1	Shall be 180-200 centimetres in length and 45-50 centimetres in width and shall be smooth and finished with slots to permit handhold complete with three 1.8-metre restraining straps and two 2.5-metre restraining straps
6.	Sandbags	2	Two-kilogram bags
7.	Linen		(a) Four blankets (washable) (b) Four sheets (c) Two plastic sheets (shrouds) (d) Four pillow cases (e) Two plastic pillow cases (f) Two hypo-allergenic pillows (g) Two cloth towels
8.	Kidney basins	2	Disposable, minimum 20 centimetres
9.	Bed pan	1	Standard or slipper pan, complete with roll of tissue, wrapped
10.	Urine bottle	1	Wrapped
11.	Plastic bags	6	Minimum size 60 centimetres by 86 centimetres

14 Jly 89 cA-18.1 Reg 1.

TABLE 3

[Clause 19(2)(b)]

Medical Equipment

<i>Item</i>	<i>Type</i>	<i>Minimum Number Required</i>	<i>Specifications</i>
1.	Oxygen equipment		
	(a) Oxygen cylinders	2	Portable, minimum capacity of 390 litres each (D type), one of which shall be fully charged when responding to a call
		1	Main, minimum capacity of 2000 litres (Q type) with regular and litre flow metre assembly
		1	Container of sterile water for oxygen humidification purposes (minimum 500 millilitres)

	(b) Regulator, litre flow metre assembly	2	One of which is designed for use with the main cylinder with humidification capability and one of which is designed for use with the portable cylinder
	(c) Masks	7	Four adult size (disposable), two pediatric size (disposable), one infant size (disposable)
	(d) Nasal cannula	2	Disposable type
	(e) Oxygen tubing		Compatible with the oxygen delivery system and with "y" connector to provide delivery for multiple patients
	2. Resuscitation unit	1	Portable, hand-operated, bag-mask valve resuscitation unit with oxygen inlet and transparent masks in pediatric and adult sizes
3.	Suction apparatus	1	Fixed, vehicle-mounted 12 volt electrical suction
		1	Portable, electrically powered (battery operated) suction
4.	Suction accessories:		
	(a) Flexible suction catheters	4	Disposable, graduated sizes
	(b) Rigid suction catheters	2	Disposable, tonsil wand type
5.	Oropharyngeal airway	7	Non-metallic, graduated sizes
6.	Cervical collar		
	(a) Rigid	6	Two small, two medium, two large, two-piece or one-piece such as Philadelphia or Stifneck style
7.	Rigid Splints	1	Set of wraparound splints of graduated sizes for use with all extremities
8.	Bandages:		
	(a) Roller conforming	18	Rolls, gauze, self-adhesive, minimum seven centimetres wide
	(b) Triangular	6	
	(c) Tensor (elastic)	4	

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| 9. | Sterile dressings: | | |
| | (a) Gauze pads | 36 | Packages, 10 centimetres square (4X4) |
| | (b) Mult-Trauma | 12 | 12 centimetres x 20 centimetres |
| 10. | Adhesive tape: | | |
| | (a) Standard | 4 | Rolls |
| | (b) Hypo-allergenic | 2 | Rolls |
| 11. | Adhesive strips | 1 | Box, assorted sizes |
| 12. | Scissors: | | |
| | (a) Bandage | 2 | Pair |
| | (b) Clothing | 2 | Pair, heavy-duty shear type |
| 13. | Sphygmomanometer | 1 | Adult size, stored in trauma kit |
| 14. | Sphygmomanometer | 1 | With cuffs in multiple sizes: large adult, adult, thigh, child, infant |
| 15. | Stethoscope | 2 | One in trauma kit and one stored in cabinet |
| 16. | Obstetrical Kit | 1 | Sterilized, prepackaged containing gloves, scissors, umbilical clamps, towels and dressings |
| 17. | Glucose | 2 | Tubes, glucose gel |
| 18. | Trauma Kit | 1 | Portable, multi-compartment, with adequate supplies to meet immediate patient treatment needs away from the ambulance |
| 19. | Thermometer | 2 | One standard and one low grade |

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TABLE 4
[Section 20]

Advanced Life Support Medical Equipment

<i>Item</i>	<i>Type</i>	<i>Minimum Number Required</i>	<i>Specifications</i>
1.	Cardiac Monitor/ defibrillator	1	<p>The cardiac monitor/defibrillator should be capable of offering the following:</p> <ul style="list-style-type: none"> -three lead monitoring -paddle-operated defibrillation -adapting to a ECG/voice recorder -an energy output of 20 to 360 joules -a I, II, and III ECG lead selection option -a cardioscope display screen -an integral ECG recorder -a synchronized cardioversion capability -an ECG monitor freeze control -interchangeable, rechargeable battery packs -a battery pack charger -a quick look feature -a pediatric paddle attachment
2.	Trauma kits	2	Portable, multi-compartment, with adequate supplies to meet immediate patient treatment needs away from the ambulance
3.	Burn Kits (mini pack)	1	Sterile, disposable, prepackaged, containing six burn towels, gauze bandage, 1" tape, saline solution
4.	Endotracheal tube case	1	Capable of holding 12 disposable ET tubes, full set of oral airways, several nasal airways, a laryngoscope handle and five laryngoscope blades, one 10 cc. syringe, one stylet, one tube of water soluble gel

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| 5. | Laryngoscope handle | 2 | Hook-on-blade type, has the same size mechanism that will fit any style blade, equipped with a knurled finish to assure a positive grip, uses size "C" flashlight batteries |
| 6. | Laryngoscope blades | 5 | Laryngoscope blade kit should include an infant, child, adult medium, adult large and adult extra large and should have straight and curved blades |
| 7. | Nitronox Unit | 1 | Double "D" cylinders, regulator, mask, Diss connections for indexed hook-up to the gas supply, a mixer pressure alarm, an automatic shut off valve capability, case |
| 8. | Spare "D" Cylinders | 2 | One full oxygen cylinder and one full nitrous oxide cylinder |
| 9. | McGill Forceps | 2 | One adult size (9 3/4") and one child size (8") to be placed in the A.E.M.A. trauma kit |
| 10. | Needle thorocostomy set | 1 | Chest decompression kit
14 Jly 89 cA-18.1 Reg 1. |

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Chapter A-35 Reg 4 (effective July 1, 2002, except s.12 and s.s.24(6) and (7), effective September 1, 2002) as amended by Saskatchewan Regulations 99/2002, 52/2003, 5/2004, 97/2004, 108/2004, 58/2005, 91/2005, 36/2006, 100/2006; 12/2007, 25/2008, 6/2009 and 37/2009.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER A-35 REG 4
The Automobile Accident Insurance Act

PART I
Title and Interpretation

Title

1 These regulations may be cited as *The Automobile Accident Insurance (General) Regulations, 2002*.

Interpretation

2(1) In these regulations:

- (a) **“Act”** means *The Automobile Accident Insurance Act*;
- (b) **“antique vehicle”** means, subject to subsection (3), a vehicle:
 - (i) that is not used for commercial or business purposes;
 - (ii) whose model year predates the year in which the application for a certificate of registration is made by 30 years or more; and
 - (iii) that is eligible to be registered in Class PV or Class LV;
- (c) **“Auto-Lease”** means an arrangement pursuant to which a vehicle is rented or leased without a driver for a period in excess of 30 days to one person;
- (d) **“cabin trailer”** means a trailer used as a mobile living accommodation, other than a tent trailer;
- (e) **“CAVR”** means the Canadian Agreement on Vehicle Registration between Canadian provincial governments, as amended from time to time, respecting commercial vehicle registration;
- (f) **“certificate of registration”** means a certificate of registration for a vehicle issued pursuant to *The Vehicle Administration Act*;
- (g) **“Class”** means, except in section 9, the classification of a vehicle pursuant to *The Vehicle Classification and Registration Regulations*;
- (h) **“combination of vehicles”** means independent vehicles coupled or joined together to form a train;
- (i) **“gross weight”** means:
 - (i) the combined weight of a vehicle and its load; or
 - (ii) the combined weight of two or more vehicles coupled or joined together and the combined weight of the loads carried on each vehicle;

(j) **"IRP"** means the International Registration Plan, being an agreement between jurisdictions in North America, as amended from time to time, respecting commercial vehicle registration;

(k) **"licence"** includes:

(i) a driver's licence issued pursuant to *The Vehicle Administration Act*; and

(ii) any licence, permit or authority to drive a vehicle issued or given by the government or other competent authority of any province, state, territory or country;

(l) **"licence issuer"** means a person designated pursuant to section 34 to accept applications and premiums for insurance pursuant to the Act;

(m) **"model year"** means the model year of a vehicle as determined by the manufacturer;

(n) **"motor home"** means a motor vehicle that is registered in Class PV, an integral section of which is designed for personal habitation and is equipped with one or more permanently attached beds together with two or more of the following:

(i) a refrigerator that is wired permanently into the vehicle's electrical system;

(ii) a permanently attached stove;

(iii) a permanently attached washing and toilet facility;

and includes a bus, van or a truck that has been converted to conform with the foregoing and is registered in Class PV;

(o) **Repealed.** 19 Nov 2004 SR 108/2004 s3.

(p) **"registered"** means registered pursuant to *The Vehicle Classification and Registration Regulations*;

(p.1) **"restricted bus"** means a bus or van that is used exclusively:

(i) to transport, without compensation, individuals to and from places of religious worship or study; or

(ii) to transport, without compensation, patients or persons with special needs to and from hospitals, special-care homes or other facilities as defined in *The Regional Health Services Act*;

(q) **"scheduled premium"** means the basic premium for 12 months established by the insurer pursuant to subsection 5(2) of the Act;

(r) **"Table"** means a Table set out in Appendix C to these regulations;

(s) **"tent trailer"** means a trailer with collapsible canvas walls and canvas roof that is used as living quarters;

(t) **"U-Drive vehicle"** means a vehicle that is rented or leased without a driver for a period of 30 days or less to any person.

- (2) For the purposes of these regulations and unless otherwise specified:
- (a) each truck, trailer, power unit and semi-trailer separately constitutes a vehicle; and
 - (b) if a trailer or semi-trailer is registered in Class TS, the trailer or semi-trailer is to be treated, taking into consideration its uses, as if it were in the same class as the truck or power unit with which it is authorized to be used.
- (3) For the purposes of these regulations, a vehicle is eligible to be considered an antique vehicle only if:
- (a) the person whose name is on the certificate of registration for the antique vehicle has another primary use vehicle that:
 - (i) is not the antique vehicle; and
 - (ii) is registered either:
 - (A) in that person's name, in the name of the person's spouse or in the joint names of the person and the person's spouse; or
 - (B) in the name of a corporation for the person's exclusive use; and
 - (b) the primary use vehicle mentioned in clause (a):
 - (i) is registered in Class F, Class PV or Class LV;
 - (ii) is the main source of transportation for the person mentioned in clause (a); and
 - (iii) is not a motorcycle, snowmobile or an antique vehicle.

23 Aug 2002 cA-35 Reg 4 s2; 19 Nov 2004 SR
108/2004 s3; 5 May 2006 SR 36/2006 s3; 3 Nov
2006 SR 100/2006 s3; 3 Nov 2006 SR 100/2006
s3; 23 Jan 2009 SR 6/2009 s3.

PART II

Classifications

Classifications

3(1) Subject to subsections (2) and (3), for the purposes of the Act and these regulations:

- (a) the classification of vehicles set out in *The Vehicle Classification and Registration Regulations* is adopted;
- (b) vehicles are to be classified in the same manner as set out in *The Vehicle Classification and Registration Regulations*; and
- (c) *The Vehicle Classification and Registration Regulations* apply, with any necessary modification, to the classification of vehicles pursuant to these regulations.

(2) A vehicle may be placed in Class PV or Class LV even if it is capable of being used as:

- (a) an ambulance;
- (b) a motor home;
- (c) a hearse;
- (d) a police vehicle;
- (e) an amphibious vehicle;
- (f) a private bus; or
- (g) a U-Drive vehicle.

23 Aug 2002 cA-35 Reg 4 s3; 19 Nov 2004 SR
108/2004 s4.

Vehicles with perpetual trailer registration exempt from Act

3.1(1) In this section, "**perpetual trailer registration**" means a certificate of registration issued pursuant to *The Highway Traffic Act* that, subject to subsection 30(2), (3) or (4) of that Act, will not expire unless suspended or revoked by the administrator.

(2) The following vehicles with a perpetual trailer registration are exempt from the provisions of the Act:

- (a) a trailer or semi-trailer registered in Class TS;
- (b) a trailer or semi-trailer registered in Class F.

(3) For the purposes of subsection (2), the administrator shall not provide an owner's certificate to the registered owner of a vehicle mentioned in clause (2)(a) or (b).

16 Sep 2005 SR 91/2005 s2.

PART III
Premium Rates for Vehicles

Basic premium

4(1) The basic premium payable for a vehicle is the scheduled premium for a vehicle of its classification.

(2) Subject to subsections (4) and (5), an applicant may apply for and obtain an owner's certificate for a licence period that is less than 12 months.

(3) The minimum licence period for which an owner's certificate may be issued is 89 days.

(4) The premium and registration fee payable for an owner's certificate for a licence period that is less than 12 months is the amount P, expressed in dollars and rounded to the nearest dollar, calculated in accordance with the following formula:

$$P = \frac{LP}{365} \times (BP + RF) + \left[A + \left[\left[\frac{LP}{365} \times (BP + RF) \right] \times T \right] \right]$$

where:

LP is the number of days in the licence period;

BP is the amount of the basic premium payable pursuant to these regulations based on a 12-month registration;

RF is the registration fee payable pursuant to *The Driver and Vehicle Registrations Fee Regulations, 1987*;

A is the administrative cost, as determined by the insurer, of providing a licence in accordance with this section; and

T is the average rate of return, expressed as a percentage, on the fund's investments, as determined by the insurer in accordance with subsection (4.1).

(4.1) For the purposes of the letter T in subsection (4), the insurer shall:

- (a) determine, for January 1 of each year, an average rate of return on the fund's investments for the five years preceding that January 1; and
- (b) apply the average rate of return determined pursuant to clause (a) in calculating the premium and registration fee in subsection (4) for the year mentioned in clause (a).

(5) Subsections (3) and (4) apply to all vehicles except those vehicles to which the IRP applies.

23 Aug 2002 cA-35 Reg 4 s4; 29 Oct 2004 SR 97/
2004 s3.

Payment in instalments

5(1) In this section, "**financial institution**" means a member of the Canadian Payments Association.

(2) Subject to the other provisions of these regulations, an applicant for an owner's certificate may pay the basic premium in instalments by authorizing the administrator to draw on an account at a financial institution.

(3) The authorization remains in force until it is cancelled:

- (a) by the owner notifying the insurer; or
- (b) by the insurer after notifying the owner, if the insurer considers it appropriate to cancel the authorization.

(4) Subsection (2):

- (a) applies to all classes of vehicles except snowmobiles and vehicles to which the IRP applies; and
- (b) does not apply if the owner's certificate and registration will expire less than 365 days from the date of issue.

(5) If an applicant for an owner's certificate elects to pay the basic premium by instalments pursuant to subsection (2), the applicant shall also pay:

- (a) a down payment calculated pursuant to subsection (6);
- (b) a down payment finance fee calculated pursuant to subsection (7);
- (c) a monthly instalment fee calculated pursuant to subsection (8); and
- (d) a monthly payment finance fee calculated pursuant to subsection (9).

(6) The amount payable as a down payment for an owner's certificate is the amount DP calculated in accordance with the following formula:

$$DP = \left[(BP + RF) - \left[\frac{BP + RF}{12} \times 11 \right] \right] + DFF$$

where:

BP is the amount of the basic premium payable pursuant to these regulations based on a 12 month registration;

RF is the registration fee payable pursuant to *The Driver and Vehicle Registration Fee Regulations, 1987*; and

DFF is the down payment finance fee calculated pursuant to subsection (7).

(7) For the purposes of subsection (6), the down payment finance fee is the amount DFF calculated in accordance with the following formula:

$$DFF = \left[(BP + RF) - \left(\frac{BP + RF}{12} \times 11 \right) \right] \times 4\%$$

where:

BP is the amount of the basic premium payable pursuant to these regulations based on a 12 month registration; and

RF is the registration fee payable pursuant to *The Driver and Vehicle Registration Fee Regulations, 1987*.

(8) The monthly instalment fee is the amount MI calculated in accordance with the following formula:

$$MI = \frac{BP + RF}{12} + MFF$$

where:

BP is the amount of the basic premium payable pursuant to these regulations based on a 12 month registration;

RF is the registration fee payable pursuant to *The Driver and Vehicle Registration Fee Regulations, 1987*; and

MFF is the monthly payment finance fee calculated pursuant to subsection (9).

(9) For the purposes of subsection (8), the monthly payment finance fee is the amount MFF calculated in accordance with the following formula:

$$\text{MFF} = \frac{\text{BP} + \text{RF}}{12} \times 4\%$$

where:

BP is the amount of the basic premium payable pursuant to these regulations based on a 12 month registration; and

RF is the registration fee payable pursuant to *The Driver and Vehicle Registration Fee Regulations, 1987*.

23 Aug 2002 cA-35 Reg 4 s5.

Notice of additional premium

6(1) If, pursuant to section 8 of the Act, the insurer determines that an applicant for or holder of a certificate of insurance is entitled to a discount in premium or must pay an additional premium, the insurer shall notify the applicant or holder.

(2) A notice sent pursuant to subsection (1) must be in writing and is to be sent by ordinary mail addressed to the applicant's or holder's last known address.

(3) A notice sent pursuant to subsection (1) must:

(a) set forth the amount of:

(i) the applicant's or holder's discounted premium; or

(ii) the additional premium assessed against the applicant or holder;

(b) if the applicant or holder is liable to pay an additional premium, advise the applicant or holder to whom it is directed of the penalty provided by section 11 of the Act for default in payment of the additional premium; and

(c) inform the applicant or holder of the applicant's or holder's right to appeal to the board pursuant to section 10.1 of the Act.

23 Aug 2002 cA-35 Reg 4 s6.

Change in licence period

7(1) If a person applies for an owner's certificate for a licence period other than the licence period in which the application is made, the premium payable is the premium payable by that owner for that class of vehicle when the owner's certificate comes into force.

(2) If the premium payable when the application is made pursuant to subsection (1):

(a) is less than the premium in force when the owner's certificate comes into force, the insurer shall pay the difference, rounded to the nearest dollar, to the applicant; or

(b) is greater than the premium in force when the owner's certificate comes into force, the applicant shall pay the difference, rounded to the nearest dollar, to the insurer.

23 Aug 2002 cA-35 Reg 4 s7.

Exchanging a certificate of registration

8 If the owner applies to the insurer to cancel an owner's certificate for a vehicle before the expiry of that owner's certificate and to have issued an owner's certificate for another vehicle and:

- (a) the premium for the owner's certificate for the first vehicle is less than the premium for the owner's certificate for the other vehicle, the applicant shall pay the difference, rounded to the nearest dollar, to the insurer; or
- (b) the premium for the owner's certificate for the other vehicle is less than the premium for the owner's certificate for the first vehicle, the insurer shall refund the difference, rounded to the nearest dollar, to the applicant.

23 Aug 2002 cA-35 Reg 4 s8.

Basic premium for certain vehicles

9(1) Notwithstanding any other provision of these regulations, snowmobiles are to constitute a separate class of vehicle and the basic premium for snowmobiles is the scheduled premium.

(2) Notwithstanding any other provision of these regulations, vehicles to which section 18 of the Act applies constitute a separate class of vehicle and the basic premium for those vehicles is the scheduled premium established for those motor vehicles.

23 Aug 2002 cA-35 Reg 4 s9.

PART III.1
Premium Rebates Program

DIVISION 1
General Provisions

Interpretation of Part**9.1 In this Part:**

- (a) **"co-owner"** means any person who is the registered owner of a vehicle together with one or more individuals;
- (b) **"Criminal Code offence"** means a conviction pursuant to sections 220, 221, 236, 249.1, 252, clause 249(1)(a), 253(a) or (b) or subsections 249(3) or (4), 255(2) or (3) or subsection 259(4) of the *Criminal Code* as a result of the use of a motor vehicle;
- (c) **"eligible insured"** means, for the purposes of Division 2 or 3:
 - (i) a person who:
 - (A) is a Saskatchewan resident on the date that a premium rebate is payable to that person pursuant to that Division; and
 - (B) held an eligible owner's certificate in the person's name in the eligible period as defined for the purposes of that Division;
 - (ii) an individual who is a co-owner but only if at least one of the other co-owners of the same vehicle meets the requirements of subclause (i); or

- (iii) a person who was legally required to register a vehicle in Saskatchewan in the eligible period as defined for the purposes of that Division;
- (d) **"eligible owner's certificate"** means an owner's certificate other than an owner's certificate that is a certificate of insurance issued with respect to a permit pursuant to section 17 or 18;
- (e) **"outstanding indebtedness"** means, with respect to a person, an indebtedness of that person that:
- (i) is outstanding on the date that a premium rebate is payable to that person; and
 - (ii) is owed:
 - (A) to the insurer pursuant to the Act or these regulations;
 - (B) to the insurer pursuant to a deductible finance agreement and that person has defaulted on a payment pursuant to that deductible finance agreement; or
 - (C) to the administrator for any fee or charge imposed on the person pursuant to *The Traffic Safety Act*;
- (g) **"premium rebate"** means the amount payable to an eligible insured pursuant to Division 2 or 3;
- (h) **"scheduled premium"** means the basic premium payable for an owner's certificate pursuant to section 4.

23 Mar 2007 SR 12/2007 s3.

General matters respecting premium rebates

- 9.2(1) No person is eligible for a premium rebate if the amount of the premium rebate is less than \$5.
- (2) If an eligible insured held an eligible owner's certificate for more than one vehicle in the eligible insured's name during the appropriate eligible period, the insurer may provide all premium rebates to that eligible insured in one payment.
- (3) A premium rebate with respect to a vehicle for which the eligible owner's certificate is in the name of two or more co-owners must be made payable to all of the co-owners listed in the eligible owner's certificate.

23 Mar 2007 SR 12/2007 s3.

Set-off of premium

- 9.21(1) Subject to subsection (3), if an eligible insured is, pursuant to this Part, eligible for a premium rebate and that eligible insured has an outstanding indebtedness, the insurer may:
- (a) if the indebtedness is equal to or greater than the amount of the premium rebate, apply all of the premium rebate towards satisfaction of the eligible insured's outstanding indebtedness; or
 - (b) if the indebtedness is less than the amount of the premium rebate, apply that portion of the premium rebate that is required to satisfy the eligible insured's outstanding indebtedness, and pay any remainder of the premium rebate to the eligible insured.

- (2) Any set-off pursuant to subsection (1) shall reduce the eligible insured's outstanding indebtedness by the amount of the premium rebate that is applied.
- (3) This section does not apply to a premium rebate owed to a co-owner unless all listed co-owners on the eligible owner's certificate have the same outstanding indebtedness.

23 Mar 2007 SR 12/2007 s3.

DIVISION 2
2005 Program

Premium rebate

9.22(1) In this Division, "**eligible period**" means the period commencing on January 1, 2005 and ending on December 31, 2005.

- (2) Subject to subsections (3) to (6) and sections 9.2 and 9.21, the insurer shall pay a premium rebate to an eligible insured for the eligible period.
- (3) A premium rebate is to be paid on or before August 1, 2006.
- (4) The amount of a premium rebate payable to an eligible insured with respect to each vehicle for which the eligible insured held an eligible owner's certificate in the eligible insured's name during the eligible period is the amount PR calculated in accordance with the following formula:

$$PR = BP \times 8\%$$

where BP is the scheduled premium amount for each vehicle insured in the eligible insured's name during the eligible period.

- (5) If the eligible insured did not hold an eligible owner's certificate for a vehicle for every day in the eligible period, the insurer shall prorate the amount of the premium rebate payable for the vehicle based on the number of days the eligible insured held that eligible owner's certificate in the eligible period, and the eligible insured is eligible to be paid only the prorated premium rebate with respect to that vehicle.

- (6) A premium rebate must not be paid to an eligible insured who:
- (a) held an eligible owner's certificate in the eligible period if that person was convicted of a *Criminal Code* offence on or after January 1, 2005; or
 - (b) is a co-owner, if one of the co-owners listed on the eligible owner's certificate was convicted of a *Criminal Code* offence on or after January 1, 2005.

23 Mar 2007 SR 12/2007 s3.

DIVISION 3
2006 Program

Premium rebate

9.23(1) In this Division, "**eligible period**" means the period commencing on January 1, 2006 and ending on December 31, 2006.

(2) Subject to subsections (3) to (6) and sections 9.2 and 9.21, the insurer shall pay a premium rebate to an eligible insured for the eligible period.

(3) A premium rebate is to be paid on or before August 1, 2007.

(4) The amount of a premium rebate payable to an eligible insured with respect to each vehicle for which the eligible insured held an eligible owner's certificate in the eligible insured's name during the eligible period is the amount PR calculated in accordance with the following formula:

$$PR = BP \times 16.839\%$$

where BP is the scheduled premium amount for each vehicle insured in the eligible insured's name during the eligible period.

(5) If the eligible insured did not hold an eligible owner's certificate for a vehicle for every day in the eligible period, the insurer shall prorate the amount of the premium rebate payable for the vehicle based on the number of days the eligible insured held that eligible owner's certificate in the eligible period, and the eligible insured is eligible to be paid only the prorated premium rebate with respect to that vehicle.

(6) A premium rebate must not be paid to an eligible insured who:

(a) held an eligible owner's certificate in the eligible period if that person was convicted of a *Criminal Code* offence on or after January 1, 2006; or

(b) is a co-owner, if one of the co-owners listed on the eligible owner's certificate was convicted of a *Criminal Code* offence on or after January 1, 2006.

23 Mar 2007 SR 12/2007 s3.

9.3 Repealed. 23 Mar 2007 SR 12/2007 s3.

PART III.2
Green (Fuel-Efficient or Hybrid) Motor Vehicle Rebate ProgramDIVISION 1
Preliminary Matters

Interpretation of Part

9.31 In this Part:

(a) "**co-owner**" means any person who is the registered owner of an eligible vehicle together with one or more individuals;

(b) "**eligible insured**" means a person named on an eligible owner's certificate;

- (c) **“eligible owner’s certificate”** means an owner’s certificate issued by the insurer for an eligible vehicle;
- (d) **“eligible period”** means the period set out in section 9.34 for the purposes of Division 2 and in section 9.35 for the purposes of Division 3;
- (e) **“eligible vehicle”** means:
- (i) a vehicle listed in Appendix D to these regulations; or
 - (ii) a 2006 or later model year hybrid-electric motor vehicle that uses both of the following two power sources to propel the vehicle:
 - (A) a gasoline or diesel internal combustion engine;
 - (B) an electric motor powered by electric batteries or another type of renewable energy storage system;
- (f) **“green vehicle rebate”** means the amount payable to an eligible insured pursuant to this Part;
- (g) **“outstanding indebtedness”** means, with respect to a person, an indebtedness of that person that:
- (i) is outstanding on the date that a green vehicle rebate is payable to that person; and
 - (ii) is owed:
 - (A) to the insurer pursuant to the Act or these regulations;
 - (B) to the insurer pursuant to a deductible finance agreement and that person has defaulted on a payment pursuant to that deductible finance agreement; or
 - (C) to the administrator for any fee or charge imposed on that person pursuant to *The Traffic Safety Act*;
- (h) **“scheduled premium”** means the basic premium payable for an owner’s certificate pursuant to section 4.

24 Apr 2009 SR 37/2009 s3.

General matters respecting green vehicle rebates

9.32(1) Notwithstanding any other provision of this Part, if a person is otherwise eligible for a green vehicle rebate and for a rebate of registration fees in accordance with section 14.1 of *The Traffic Safety Act Fees Regulations*, the person is not entitled to the green vehicle rebate if the combined amount of the green vehicle rebate and the rebate of registration fees in accordance with section 14.1 of *The Traffic Safety Act Fees Regulations* is less than \$5.

(2) If an eligible insured held an eligible owner’s certificate for more than one eligible vehicle in the eligible insured’s name during the eligible period, the insurer may provide all green vehicle rebates to that eligible insured in one payment.

(3) A green vehicle rebate with respect to an eligible vehicle for which the eligible owner’s certificate is in the name of two or more co-owners must be made payable to all of the co-owners listed in the eligible owner’s certificate.

(4) If the eligible insured did not hold an eligible owner's certificate for an eligible vehicle for every day in an eligible period:

(a) the insurer shall prorate the amount of the green vehicle rebate payable for the eligible vehicle based on the number of days the eligible insured held that eligible owner's certificate in the eligible period; and

(b) the eligible insured is eligible to be paid only the prorated green vehicle rebate with respect to that eligible vehicle.

24 Apr 2009 SR 37/2009 s3.

Set-off of green vehicle rebates

9.33(1) Subject to subsection (3), if an eligible insured is, pursuant to this Part, eligible for a green vehicle rebate and that eligible insured has an outstanding indebtedness, the insurer may:

(a) if the indebtedness is equal to or greater than the amount of the green vehicle rebate, apply all of the green vehicle rebate towards satisfaction of the eligible insured's outstanding indebtedness; or

(b) if the indebtedness is less than the amount of the green vehicle rebate, apply that portion of the green vehicle rebate that is required to satisfy the eligible insured's outstanding indebtedness, and, only if the remaining amount of the green vehicle rebate is \$5 or more, pay the remainder of the green vehicle rebate to the eligible insured.

(2) Any set-off pursuant to subsection (1) shall reduce the eligible insured's outstanding indebtedness by the amount of the green vehicle rebate that is applied.

(3) This section does not apply to a green vehicle rebate owed to a co-owner unless all listed co-owners on the eligible owner's certificate have the same outstanding indebtedness.

24 Apr 2009 SR 37/2009 s3.

DIVISION 2
2008 Program

Amount and payment of green vehicle rebates

9.34(1) For the purposes of this Division, the eligible period for the 2008 program is the period commencing on January 1, 2007 and ending on December 31, 2007.

(2) Subject to subsections (3) and (4), the insurer shall pay a green vehicle rebate to an eligible insured for the eligible period.

(3) A green vehicle rebate is to be paid on or before May 1, 2008.

(4) The amount of a green vehicle rebate payable to an eligible insured with respect to each eligible vehicle for which the eligible insured held an eligible owner's certificate in the eligible insured's name during the eligible period is the amount PR calculated in accordance with the following formula:

$$PR = BP \times 20\%$$

where BP is the scheduled premium amount for each eligible vehicle insured in the eligible insured's name during the eligible period.

24 Apr 2009 SR 37/2009 s3.

DIVISION 3 2009 Program

Amount and payment of green vehicle rebates

9.35(1) For the purposes of this Division, the eligible period for the 2009 program is the period commencing on January 1, 2008 and ending on December 31, 2008.

(2) Subject to subsections (3) and (4), the insurer shall pay a green vehicle rebate to an eligible insured for the eligible period.

(3) A green vehicle rebate is to be paid on or before May 1, 2009.

(4) The amount of a green vehicle rebate payable to an eligible insured with respect to each eligible vehicle for which the eligible insured held an eligible owner's certificate in the eligible insured's name during the eligible period is the amount PR calculated in accordance with the following formula:

$$PR = BP \times 20\%$$

where BP is the scheduled premium amount for each eligible vehicle insured in the eligible insured's name during the eligible period.

24 Apr 2009 SR 37/2009 s3.

PART IV Deductible

Deductible

10(1) For the purposes of Part III of the Act, the deductible amount is the amount set out in the Comprehensive Deductible column of Appendix A for the Class in which the vehicle belongs.

(2) Notwithstanding subsection (1), the owner of any of the following vehicles may elect a deductible of \$15,000:

- (a) a vehicle that is registered in Class A; and
- (b) a vehicle that is registered in Saskatchewan pursuant to the IRP.

23 Aug 2002 cA-35 Reg 4 s10.

Prescribed minimum damage

11 For the purposes of subsection 51(9) of the Act, the specified amount of property damage is fixed at \$700.

23 Aug 2002 cA-35 Reg 4 s11.

Acquisition of replacement vehicle

12(1) In this section, "**replacement vehicle**" means a vehicle that:

- (a) is acquired to replace a vehicle designated in an owner's certificate;
- (b) is of a type and class similar to the vehicle designated in an owner's certificate; and
- (c) has a gross weight that is equal to or less than the gross weight of the vehicle designated in an owner's certificate.

(2) This section applies if:

- (a) a vehicle designated in an owner's certificate is sold; and
- (b) the holder of an owner's certificate acquires a replacement vehicle to replace the vehicle that was sold.

(3) In the circumstances described in subsection (2), the owner's certificate continues in effect with respect to the replacement vehicle until the earlier of:

- (a) seven days after the date the replacement vehicle was purchased; and
- (b) the expiration of the owner's certificate.

(4) In the event of loss or damage occurring to the replacement vehicle as a result of one of the perils mentioned in section 38 of the Act within the seven-day period mentioned in subsection (3), the premium for the replacement vehicle is to be adjusted pursuant to section 7 from the date on which the replacement vehicle was acquired.

(5) For the purposes of ascertaining the deductible, the replacement vehicle is deemed to have been in the class of vehicle set out in Appendix A that it would have been in had the owner's certificate been transferred or exchanged on the day of its acquisition.

23 Aug 2002 cA-35 Reg 4 s12.

PART V
Registration

Vehicles exempt from Act

13(1) A vehicle or class of vehicles may be designated in a reciprocal agreement between the insurer and a province or a state of the United States of America, or any authorized agent of them, in which the vehicle is first registered if the province or state has enacted laws providing a system of insurance substantially similar to the system under the Act.

- (2) An agreement made pursuant to subsection (1) may:
- (a) exempt the vehicle and the owner from the provisions of the Act; and
 - (b) establish terms and conditions governing the exemptions.

23 Aug 2002 cA-35 Reg 4 s13.

Vehicles registered pursuant to IRP

14 If a vehicle is registered in another jurisdiction pursuant to the IRP and that vehicle is also registered in Saskatchewan pursuant to the IRP, no premium is payable in connection with the Saskatchewan registration.

23 Aug 2002 cA-35 Reg 4 s14.

Farm car

15(1) In this section and for the purposes of the Appendix, "car" means a vehicle that:

- (a) is a sedan-type vehicle capable of carrying and properly restraining no more than six persons; and
 - (b) is eligible to be registered in Class LV of *The Vehicle Classification and Registration Regulations*.
- (2) A car is eligible to be insured as a farm car if it is owned by a person:
- (a) who resides on a farm within the meaning of *The Vehicle Classification and Registration Regulations* for a total of at least six months per year;
 - (b) who is eligible to register a vehicle in Class F pursuant to *The Vehicle Classification and Registration Regulations*; and
 - (c) whose primary occupation is farming.
- (3) A car that is owned by a corporation is eligible to be insured as a farm car if:
- (a) the principal operator of the car resides on a farm within the meaning of *The Vehicle Classification and Registration Regulations*;
 - (b) the corporation is eligible to register a vehicle in Class F pursuant to *The Vehicle Classification and Registration Regulations*; and
 - (c) the primary occupation of the principal operator of the car is farming.
- (4) For the purposes of this section, a person's primary occupation is farming if he or she satisfies the administrator that he or she is engaged in farming operations for not less than 720 hours in the calendar year in which the application for insurance is made.
- (5) A car registered in Class LV that is owned by the spouse of a person described in subsection (2) is eligible to be insured as a farm car if the spouse resides on the farm with the person eligible to insure a car as a farm car pursuant to subsection (2).

23 Aug 2002 cA-35 Reg 4 s15; 19 Nov 2004 SR
108/2004 s5.

Specially authorized purpose

16(1) In this section, “**specially authorized purpose**” means the use of a vehicle for a purpose not permitted in the vehicle’s certificate of registration if that use is authorized by:

- (a) the administrator pursuant to section 34 of *The Vehicle Administration Act*; or
 - (b) the Highway Traffic Board pursuant to section 29 of *The Highway Traffic Act*.
- (2) While a vehicle is used for a specially authorized purpose:
- (a) the basic premium payable for that vehicle is the scheduled premium for the class of vehicle to which the vehicle belongs;
 - (b) the liability of the insurer pursuant to Part III of the Act with respect to loss or damage occurring while the vehicle is being used for the specially authorized purpose is the amount L calculated in the following manner:

$$L = P - D$$

where:

P is the lesser of:

- (i) the actual cash value of the vehicle and its equipment at the time of the loss, with proper deductions for depreciation; and
- (ii) the maximum value of the vehicle, for the class of vehicle to which the vehicle belongs; and

D is the deductible amount of the vehicle as described in clause (c); and

- (c) the deductible amount of the vehicle is the amount provided for in Appendix A based on the class to which the vehicle would belong determined using the specially authorized purpose.

23 Aug 2002 cA-35 Reg 4 s16.

One-way permit

17(1) In this section, “**permit**” means a permit issued pursuant to section 34 of *The Vehicle Administration Act* to operate or move a vehicle from a point in Saskatchewan to a point in another province, other than for the transportation of passengers, goods, wares, merchandise, commodities or for any other commercial or business purpose.

- (2) If a certificate of insurance is issued with respect to a permit:
- (a) the premium payable for that certificate of insurance is the scheduled premium;
 - (b) the deductible amount is determined as though the vehicle for which the certificate of insurance is issued was classified as a vehicle of its make, model, year and gross weight; and
 - (c) the certificate of insurance is valid for seven days.

23 Aug 2002 cA-35 Reg 4 s17.

Temporary certificate

18(1) In this section, “**authorization**” means a permit or other document permitting the operation of a vehicle in the jurisdiction where it is being operated.

(2) The insurer may issue a temporary certificate of insurance for any vehicle that is being moved from a point outside Saskatchewan to the place of residence in Saskatchewan of the person named in the temporary certificate of insurance.

(3) No temporary certificate of insurance is to be issued for the purpose of transporting passengers, goods, wares, merchandise or commodities or for any other commercial or business purpose.

(4) A temporary certificate of insurance is valid only if:

(a) the vehicle is operated pursuant to an authorization granted by or recognized in the jurisdiction in which the vehicle is operated;

(b) the terms and conditions of the authorization have been complied with; and

(c) the person named in the temporary certificate of insurance applies for and is issued an owner's certificate during the term of the temporary certificate of insurance or immediately following its expiry.

(5) If an owner's certificate is issued pursuant to clause (4)(c), it is deemed to be in effect from the date the temporary certificate of insurance was issued.

(6) The basic premium for a temporary certificate of insurance is the premium rate payable by the owner for that class of vehicle.

23 Aug 2002 cA-35 Reg 4 s18; 20 Feb 2004 SR
5/2004 s3.

PART VI

Cancellation and Premium Refund

Refund of premium

19(1) If an owner's certificate is cancelled and the licence plates for that vehicle are surrendered to the administrator:

(a) subject to section 20, the insurer shall refund the amount by which the premium paid with respect to the owner's certificate exceeds the prorated premium for the period in which the owner's certificate was in force; and

(b) the insurer shall make the refund payable to the owner.

(2) Notwithstanding subsection (1), the insurer may make a refund without the surrender of the licence plates for a vehicle if the insurer is satisfied that the licence plates:

(a) cannot reasonably be obtained; or

(b) have been accounted for to the satisfaction of the insurer.

23 Aug 2002 cA-35 Reg 4 s19.

Calculation of refund

20(1) For the purposes of section 19, the amount of the prorated premium is calculated on the basis of the annual premium that the owner was obligated to pay at the time the owner's certificate was purchased, regardless of the date of issue of the owner's certificate.

(2) The results of any calculation made pursuant to subsection (1) are to be rounded to the nearest dollar.

23 Aug 2002 cA-35 Reg 4 s20.

Minimum amount retained

21(1) Notwithstanding any other provision of these regulations, the insurer shall not refund any amount unless the amount exceeds \$4.99.

(2) Subject to section 22, the insurer is entitled to a cancellation fee with respect to an owner's certificate in an amount equal to the lesser of:

(a) \$10; and

(b) an amount equal to the prorated premium calculated in accordance with subsection 20(1).

(3) If the insurer considers it appropriate, it may waive the cancellation fee in subsection (2).

(4) Notwithstanding subsection (2), if an owner's certificate has been purchased with the premium fee determined pursuant to section 4 or 5, on cancellation of the owner's certificate the insurer is entitled to retain:

(a) the down payment finance fee paid pursuant to subsection 5(7); or

(b) the premium and registration fee paid pursuant to subsection 4(4).

23 Aug 2002 cA-35 Reg 4 s21; 23 Mar 2007 SR
12/2007 s4.

Certificate issued in error

22 The insurer shall refund to an owner all of the basic premium paid with respect to an owner's certificate if the insurer is satisfied that:

(a) the owner's certificate has been issued in error; or

(b) no owner's certificate has been issued or will be issued even though an application has been made and the owner has paid the required premium.

23 Aug 2002 cA-35 Reg 4 s22.

Death of owner

23(1) In this section, “**registration period**” means the period during which an owner’s certificate is valid.

(2) If in a registration period the owner of a vehicle dies and the vehicle is registered pursuant to *The Vehicle Classification and Registration Regulations* in the same class under the name of the executor or administrator of the deceased’s estate or in the name of the person legally entitled to the vehicle, the insurer shall not:

- (a) require the surrender of the licence plates for the vehicle to the administrator;
- (b) pay a refund with respect to the owner’s certificate issued to the deceased owner; or
- (c) require a premium to be paid by the person in whose name the vehicle is re-registered.

(3) The premium payable for a vehicle mentioned in subsection (2) in a registration period following the registration period in which the owner of the vehicle died is the scheduled premium if the vehicle is registered solely under the name of the executor or administrator of the deceased’s estate.

(4) Subsection (5) applies with respect to a vehicle if:

- (a) the vehicle is a vehicle for which a discount in the basic premium applies pursuant to subsection 29(3);
- (b) the vehicle was registered in a registration period in the name of two or more co-owners as defined in section 26 and, in that registration period, one of the co-owners died;
- (c) the vehicle is registered in a registration period following the registration period mentioned in clause (b); and
- (d) the executor or administrator of the deceased’s estate is registered as a co-owner of the vehicle in a registration period following the registration period in which that co-owner of the vehicle died.

(5) In the circumstances mentioned in subsection (4):

- (a) the premium payable for the vehicle mentioned in that subsection is to be based on the average safety rating of all co-owners; and
- (b) the executor or administrator of the deceased’s estate, in that executor or administrator’s status a co-owner, is deemed to have a safety rating of zero.

PART VII
Limitations on Insurer's Liability

Limits on liability of insurer

24(1) Subject to the other provisions of these regulations, the liability of the insurer pursuant to Part III of the Act for loss or damage to any vehicle is limited with respect to each separate claim to the amount by which the loss or damage is greater than the amount set out in the Comprehensive Deductible column of Appendix A.

(2) For the purposes of Part III of the Act, the maximum value of an amphibious vehicle together with all its equipment is deemed to be \$15,000.

(3) For the purposes of Part III of the Act, the maximum value of an antique vehicle together with all its equipment is deemed to be \$800.

(4) For the purposes of Part III of the Act, if an owner of a vehicle applies for or renews an owner's certificate and the basic premium payable for that vehicle is determined using the declared value of the vehicle and all its equipment at the time of the application for or renewal of insurance, the maximum value of the vehicle is deemed to be the declared value of the vehicle and all its equipment as set out in the application for insurance or application for renewal of insurance.

(5) For the purposes of Part III of the Act, the maximum value of a vehicle and all its equipment registered in Class A, C, D or TS is deemed to be \$15,000 unless a higher declared value of the vehicle is set out in the application for insurance or application for renewal of insurance.

(6) Notwithstanding subsection (5) and for the purposes of Part III, the maximum value of the vehicle is the actual cash value of the vehicle or any part or item of the equipment of the vehicle, as the case may be, at the time of the loss or damage, with proper deduction for depreciation if:

- (a) the vehicle is registered in Class A, C or D and the insurer determined the basic premium of the vehicle on the basis of the make and model of the vehicle; or
- (b) the vehicle is an ambulance or hearse registered in Class A, C or D.

(6.1) Notwithstanding subsections (5) and (6) and for the purposes of Part III of the Act, the maximum value of a vehicle that is registered in Saskatchewan pursuant to the IRP and all its equipment is deemed to be \$15,000 if:

- (a) the certificate of insurance for that vehicle is purchased or renewed after this subsection comes into force; or
- (b) the certificate of insurance for that vehicle was originally issued for another vehicle and has been amended, after this subsection comes into force, to change the vehicle registered under the certificate of insurance.

(7) Subject to subsection (6), if the owner of a vehicle is eligible to elect and does elect a deductible of \$15,000 pursuant to section 10, the liability of the insurer for loss or damage to the vehicle respecting each separate claim is not to be greater than the deemed maximum value of the vehicle pursuant to this section.

(8) A dealer's certificate issued pursuant to section 30 of *The Vehicle Administration Act* does not provide coverage pursuant to Part III of the Act for snowmobiles.

Insurance coverage for equipment**25(1) In this section:**

(a) **“after-market equipment”** means sound and communication equipment that:

- (i) is intended for use in a vehicle; and
- (ii) is not manufacturer-installed equipment;

(b) **“manufacturer-installed equipment”** means sound and communication equipment that:

- (i) is intended for use in a vehicle; and
- (ii) is available from the manufacturer as standard or optional equipment for a vehicle of that particular make, model and year.

(2) Subject to subsections (4) and (5), for the purposes of Part III of the Act, an owner's certificate insures the person named in the owner's certificate against loss or damage to the vehicle designated in the owner's certificate with respect to sound and communication equipment including:

- (a) electronic data processing devices; and
- (b) audiovisual equipment.

(3) Subsection (2) does not apply to loss or damage to any type of sound equipment or communication equipment if the Act or these regulations declare that the insurer is not liable for loss or damage to that type of sound equipment or communication equipment.

(4) If there is loss or damage solely to after-market equipment, the liability of the insurer for that loss or damage is limited to the amount by which the loss or damage, including all associated and incidental costs, exceeds the deductible amount fixed pursuant to these regulations to a maximum of \$1,500 per claim.

(5) If there is loss or damage to after-market equipment and other loss or damage to the vehicle for which the insurer is liable pursuant to the Act and these regulations, the maximum liability of the insurer for all loss or damage is the amount ML calculated in accordance with the following formula:

$$ML = (EL + VL) - D$$

where:

EL is the loss or damage to the after-market equipment and is equal to the lesser of:

- (a) the amount of the loss or damage; and
- (b) \$2,200;

VL is the loss or damage to the vehicle for which the insurer is liable pursuant to the Act and these regulations;

D is the deductible amount fixed pursuant to these regulations.

PART VIII
Safety Rating Assessment

Interpretation

26(1) In this Part:

- (a) **“assigned points”** means the points assigned to a chargeable incident as set out in Appendix B to these regulations;
 - (b) **“chargeable incident”** means:
 - (i) a motor vehicle accident:
 - (A) where loss or damage arises for which the insurer pays \$305 or more pursuant to the Act; and
 - (B) where the driver of the motor vehicle caused or contributed to the accident and is at least 50% at fault for the accident; or
 - (ii) a conviction registered against a driver for an offence listed in Appendix B;
 - (c) **“clear year”** means, with respect to a driver, a period of 365 consecutive days commencing on or after January 1, 1995 in which the driver was not involved in a chargeable incident;
 - (d) **“co-owner”** means an individual who:
 - (i) is registered as the owner of a motor vehicle along with one or more individuals; and
 - (ii) has provided the insurer, on a form acceptable to the insurer, with his or her permission to disclose his or her safety rating to all other individuals registered as co-owners of the motor vehicle
 - (e) **“multiple incident”** means an event described in subsection (2).
- (2) For the purposes of this Part, a driver is considered to have been involved in a multiple incident if the driver:
- (a) is involved in a motor vehicle accident that is determined to be a chargeable incident against the driver; and
 - (b) is charged and subsequently convicted of one or more of the chargeable incidents that:
 - (i) are set out in items 5, 6 and 7 of Appendix B, other than a conviction for contravening subsection 140(1) or (3) of *The Traffic Safety Act*; and
 - (ii) occurred on the same day as the motor vehicle accident mentioned in clause (a).

Application of Part

26.1(1) Subject to subsection (2), this Part applies only to the following motor vehicles and to owners of the following motor vehicles:

- (a) a motor vehicle that is registered in Class PV or LV other than a hearse, U-Drive vehicle, restricted bus, ambulance, police vehicle, RCMP vehicle or a vehicle owned by either the federal government or a Crown corporation;
 - (b) a motor vehicle that is registered in Class F and that is a one ton model or smaller.
- (2) This Part does not apply to a motor vehicle if:
- (a) the owner of the motor vehicle is a non-resident owner as defined in section 18 of the Act and to whom that section applies; or
 - (b) the owner or one of the co-owners is not an individual.

19 Nov 2004 SR 108/2004 s6; 23 Jan 2009 SR 6/
2009 s5.

Safety rating

27(1) The insurer shall not consider any driver's record or motor vehicle accident claims history that predates January 1, 1995.

(2) Subject to these regulations, in determining a driver's safety rating the insurer shall:

- (a) in the case of a chargeable incident, subtract the assigned points for the chargeable incident from the driver's safety rating; and
 - (b) in the case of a clear year, add one point to the driver's safety rating.
- (3) For each chargeable incident, a driver shall pay a surcharge based on the driver's accumulated points for all chargeable incidents, including the chargeable incident for which the surcharge is being determined, in the amount set out in Table 2.
- (4) Notwithstanding clause (2)(a) and subsection (3), if a driver is involved in a multiple incident:
- (a) the insurer shall subtract the assigned points from the driver's safety rating for the motor vehicle accident that is a chargeable incident; and
 - (b) the driver shall pay a surcharge, if applicable, for the motor vehicle accident mentioned in clause (a).
- (5) Notwithstanding subsection (4), if a driver is involved in a multiple incident and the driver is determined to have a safety rating of minus one or lower as a result of the multiple incident:
- (a) the insurer shall subtract the assigned points from the driver's safety rating for all the chargeable incidents that are associated with the multiple incident; and
 - (b) the driver shall pay a surcharge for the motor vehicle accident that is a chargeable incident.

(6) Notwithstanding subsections (4) and (5), the insurer shall subtract the assigned points from a driver's safety rating for all the chargeable incidents that are associated with the multiple incident if:

(a) the driver is involved in a multiple incident and the driver is determined to have a safety rating of minus one or lower as a result of the multiple incident; and

(b) the motor vehicle accident is determined by the board or the insurer at any time to not be a chargeable incident or the driver fully reimburses the insurer for the motor vehicle accident in accordance with section 30.

(7) If a driver has three consecutive clear years and, at the end of those three consecutive clear years, has a safety rating of minus one or lower, the insurer shall:

(a) remove any assigned points entered against the driver's safety rating; and

(b) place the driver at zero on the safety rating scale.

(8) The accumulated points registered against a driver's safety rating pursuant to this section is the driver's safety rating.

(9) Notwithstanding any other provision of these regulations and subject to subsection (10), the insurer shall determine the safety rating of a co-owner who does not reside in Saskatchewan based on his or her:

(a) driving record within Saskatchewan; and

(b) motor vehicle accident claims history.

(10) If a co-owner mentioned in subsection (9) does not have a driving record within Saskatchewan or a motor vehicle accident claims history, the co-owner's safety rating is deemed to be zero.

23 Jan 2009 SR 6/2009 s6.

Surcharge to be paid for convictions for special offences

27.1(1) In this section and in section 29, "**special offence**" means an offence contrary to any of the following provisions of the *Criminal Code*:

(a) section 220;

(b) section 221;

(c) section 236;

(d) subsection 249(3) or (4);

(e) subsection 249.1(3) or (4);

(f) section 249.2;

(g) section 249.3;

(h) subsection 249.4(3) or (4);

- (i) subsection 252(1) if death or bodily injury occurs;
 - (j) paragraph 253(1)(a) or (b) if death or bodily injury occurs;
 - (k) subsection 254(5) if death or bodily injury occurs.
- (2) Notwithstanding any other provision of this Part, if a driver is convicted of a special offence:
- (a) if the driver has a safety rating of greater than minus 11, the driver's safety rating is deemed to be minus 20; and
 - (b) the insurer shall charge the driver, and the driver shall pay, a surcharge of \$2,500.

23 Jan 2009 SR 5/2009 s7.

Safety rating for drivers establishing a residence in Saskatchewan

28(1) If a person establishes a residence or re-establishes a residence in Saskatchewan, for the purpose of initially placing the driver on the safety rating scale, the insurer shall:

- (a) determine the number of points that, in the opinion of the insurer, the person would have accumulated based on the number of at-fault motor vehicle accidents since January 1, 1995;
 - (b) determine the number of points that, in the opinion of the insurer, the person would have accumulated based on the number of convictions the person has for chargeable offences as if those offences occurred in Saskatchewan since January 1, 1995;
 - (c) determine the number of points that the person would have earned for clear years based on the person's driving history as if that person, during that period, had been issued a valid Saskatchewan driver's licence; and
 - (d) place the person on the safety rating scale pursuant to this Part.
- (2) In making a determination pursuant to subsection (1), the insurer shall consider all reports and other information that, on reasonable grounds, it considers relevant to the determination.
- (3) For the purposes of assisting in making a determination pursuant to subsection (1) and in determining whether a person who is establishing or re-establishing residence in Saskatchewan should be credited with one or more clear years:
- (a) the person may provide the insurer with a copy of the person's insurance claims history in a form that is acceptable to the insurer; and
 - (b) the insurer shall consider the person's insurance claims history provided pursuant to clause (a) in addition to any other information that the insurer, on reasonable grounds, considers relevant to the determination.
- (4) In making a determination pursuant to subsection (1), the insurer shall not impose a surcharge on a driver, and the driver is not required to pay a surcharge, for any chargeable incident that arose before the date the insurer makes the determination pursuant to subsection (1).

23 Jan 2009 SR 6/2009 s8.

Safety rating and premium discount

29(1) No person with a safety rating of zero or less is entitled to a discount in the basic premium pursuant to subsection 5(2) of the Act.

(2) Subject to these regulations, the owner of a motor vehicle is entitled to a discount in the basic premium if:

(a) the motor vehicle is registered in the name of the owner and the owner has a safety rating of one or greater; or

(b) the motor vehicle is registered to co-owners and the average safety rating of all co-owners is one or greater.

(3) A discount in the basic premium applies only to the motor vehicles and to owners of motor vehicles set out in section 26.1.

(4) **Repealed.** 19 Nov 2004 SR 108/2004 s7.

(5) Notwithstanding any other provision of these regulations, if a driver is convicted of an offence contrary to section 219, 220, 221, 236, paragraph 249(1)(a), subsection 249(3) or (4), section 249.1, 249.2, 249.3, 249.4, 252, paragraph 253(1)(a) or (b), subsection 254(5), subsection 255(2), (2.1), (2.2), (3), (3.1) or (3.2) or subsection 259(4) of the *Criminal Code*, the offence was committed by means of a motor vehicle and the offence is not a special offence:

(a) if the driver has a safety rating of greater than minus 11, the driver's safety rating is deemed to be minus 20; and

(b) the insurer shall charge the driver, and the driver shall pay, the maximum surcharge of \$500.

(6) If an owner or co-owner is entitled to a discount in the premium payable, the premium payable is the amount PP calculated in accordance with the following formula:

$$PP = BP - (BP \times DA)$$

where:

BP is the basic premium set out in subsection 5(2) of the Act;

DA is:

(a) in the case of a vehicle registered in the name of one owner, the identified discount percentage based on the owner's points determined using the safety rating scale set out in Table 3; or

(b) in the case of a vehicle registered in the name of co-owners, the average of the identified discount percentages based on each co-owner's points determined using the safety rating scale set out in Table 3.

Claims payback

30(1) If a driver is involved in a motor vehicle accident and that motor vehicle accident is a chargeable incident against the driver, the driver may elect to reimburse the insurer for any moneys paid out by the insurer pursuant to Parts III and IV of the Act on behalf of that driver.

(2) If a driver elects to reimburse the insurer pursuant to subsection (1) and makes full payment of the reimbursement:

- (a) the motor vehicle accident is not to be considered a chargeable incident for the purposes of this Part; and
- (b) the insurer shall adjust the driver's safety rating and reimburse the driver for any excess premium the driver paid as a result of that motor vehicle accident.

23 Aug 2002 cA-35 Reg 4 s30; 23 Jan 2009 SR
6/2009 s10.

31 Repealed. 23 Jan 2009 SR 6/2009 s11.

PART VIII.1
Commercial Rate Assessment

Interpretation of Part

31.1(1) In this Part:

- (a) **"assessment date"** means the assessment date for a registrant that is set by the insurer;
- (b) **"chargeable incident"** means, other than in sections 31.8 to 31.9, an accident involving a commercial vehicle in which the driver of the commercial vehicle caused or contributed to the accident and is at least 50% at fault for the accident;
- (c) **"commercial vehicle"** means a vehicle that is registered:
 - (i) in Class A, C, D, L, PB, PC, PS or PT;
 - (ii) in Class F, but only if:
 - (A) the vehicle is larger than a one ton model; or
 - (B) the registrant is a corporation;
 - (iii) in Class PV or LV, but only if:
 - (A) the vehicle is registered as a hearse, U-Drive vehicle, restricted bus, ambulance, police vehicle, RCMP vehicle or a vehicle owned by either the federal government or a Crown corporation; or
 - (B) the registrant is a corporation;

but does not include any vehicle that is registered in Saskatchewan by a non-resident owner as defined in section 18 of the Act and to whom that section applies;

- (d) **"loss ratio"** means, other than in sections 31.8 to 31.9, the loss ratio, as determined pursuant to sections 31.3 and 31.4, for a registrant;
 - (e) **"new registrant"** means a registrant that has never registered a commercial vehicle with the administrator before its first application to register a commercial vehicle;
 - (f) **"prior registrant"** means a registrant that has previously registered a commercial vehicle with the administrator;
 - (g) **"registrant"** means a person or partnership that registers a commercial vehicle with the administrator.
- (2) In this Part, a registrant is considered to be related to a prior registrant if:
- (a) 50% or more of the commercial vehicles registered by the registrant were previously registered by the prior registrant;
 - (b) 50% or more of the drivers employed by the registrant were previously employed by the prior registrant; and
 - (c) the insurer is satisfied that:
 - (i) the persons who directly or indirectly control the registrant also directly or indirectly controlled the prior registrant; or
 - (ii) the persons who directly or indirectly control the registrant and the persons who directly or indirectly controlled the prior registrant are not dealing at arm's length.
- (3) For the purposes of these regulations, persons are considered not to be dealing at arm's length if they are not dealing at arm's length within the meaning of the *Income Tax Act* (Canada).

20 Feb 2004 SR 5/2004 s6; 19 Nov 2004 SR 108/
2004 s8; 23 Jan 2009 SR 6/2009 s12.

Application of Part

31.2 This Part applies only to commercial vehicles and to registrants of commercial vehicles.

20 Feb 2004 SR 5/2004 s6.

Limit to claims history and setting assessment date

31.21(1) Subject to sections 31.4 and 31.8 to 31.9, in determining if a registrant is entitled to a discount or is required to pay a surcharge on its basic premium with respect to a commercial vehicle, the insurer shall only consider chargeable incidents involving a registrant's commercial vehicles that occurred in the five calendar years preceding the registrant's assessment date.

(2) For the purposes of this Part, the insurer shall set an assessment date for every registrant and provide every registrant with written notice of the registrant's assessment date and the date of an assessment within 30 days after the assessment.

20 Feb 2004 SR 5/2004 s6; 23 Jan 2009 SR 6/
2009 s13.

Loss ratio

31.3(1) In this section and in section 31.4:

- (a) **"claims paid"** means, with respect to a calendar year, the sum of all amounts paid by the insurer on behalf of a registrant that are attributable to all chargeable incidents involving the registrant's commercial vehicles that occurred in the year, with the amount paid for each chargeable incident being determined in accordance with subsection (2);
 - (b) **"premiums paid"** means, with respect to a calendar year, the amount of all premiums paid pursuant to the Act to the insurer on behalf of the registrant to register all of the registrant's commercial vehicles for that calendar year.
- (2) For the purposes of determining the claims paid by the insurer on behalf of a registrant pursuant to subsection (3), the insurer shall include for each chargeable incident involving at least one of the registrant's commercial vehicles the lesser of the amounts mentioned in clauses (a) and (b):
- (a) if:
 - (i) the driver of the commercial vehicle is determined to be 50% at fault for a particular chargeable incident, one-half of all amounts paid by the insurer on behalf of the registrant with respect to that chargeable incident involving that commercial vehicle;
 - (ii) the driver of the commercial vehicle is determined to be more than 50% at fault for a particular chargeable incident, all amounts paid by the insurer on behalf of the registrant with respect to that chargeable incident involving that commercial vehicle;
 - (b) two times the amount of all premiums paid by a registrant to register all of the registrant's commercial vehicles for the calendar year in which the chargeable incident occurred.
- (3) Subject to section 31.4, the loss ratio for a registrant is the amount LR expressed as a percentage and calculated in accordance with the following formula:

$$LR = \frac{(CP1 + CP2 + CP3 + CP4 + CP5)}{(PP1 + PP2 + PP3 + PP4 + PP5)} \times 100$$

where:

CP1 is the amount of claims paid on behalf of the registrant, or a person operating the vehicle on behalf of the registrant, with respect to chargeable incidents that occurred in the calendar year before the registrant's assessment date;

CP2 is the amount of claims paid on behalf of the registrant, or a person operating the vehicle on behalf of the registrant, with respect to chargeable incidents that occurred in the calendar year that is two years before the registrant's assessment date;

CP3 is the amount of claims paid on behalf of the registrant, or a person operating the vehicle on behalf of the registrant, with respect to chargeable incidents that occurred in the calendar year that is three years before the registrant's assessment date;

CP4 is the amount of claims paid on behalf of the registrant, or a person operating the vehicle on behalf of the registrant, with respect to chargeable incidents that occurred in the calendar year that is four years before the registrant's assessment date;

CP5 is the amount of claims paid on behalf of the registrant, or a person operating the vehicle on behalf of the registrant, with respect to chargeable incidents that occurred in the calendar year that is five years before the registrant's assessment date;

PP1 is the amount of premiums paid on behalf of the registrant to register all of its commercial vehicles for the calendar year that precedes the registrant's assessment date;

PP2 is the amount of premiums paid on behalf of the registrant to register all of its commercial vehicles for the calendar year that is two years before the registrant's assessment date;

PP3 is the amount of premiums paid on behalf of the registrant to register all of its commercial vehicles for the calendar year that is three years before the registrant's assessment date;

PP4 is the amount of premiums paid on behalf of the registrant to register all of its commercial vehicles for the calendar year that is four years before the registrant's assessment date;

PP5 is the amount of premiums paid on behalf of the registrant to register all of its commercial vehicles for the calendar year that is five years before the registrant's assessment date.

20 Feb 2004 SR 5/2004 s6; 29 Oct 2004 SR 97/
2004 s4; 23 Jan 2009 SR 6/2009 s14.

Loss ratio for new registrants

31.4(1) Subject to subsections (2) to (4) and section 31.9, the loss ratio for a new registrant is deemed to be 70.1%.

(2) If a new registrant is related to a prior registrant, the insurer shall calculate the loss ratio for the new registrant pursuant to section 31.3 as if the new registrant were the prior registrant and, for that purpose:

(a) all the claims paid on behalf of the prior registrant with respect to all chargeable incidents on every commercial vehicle registered to the prior registrant are deemed to be claims paid on behalf of the new registrant;

(b) the premiums paid by the prior registrant are deemed to be premiums paid by the new registrant; and

(c) section 31.3 applies, with any necessary modification, to the new registrant as if it were the prior registrant.

(3) The loss ratio for a new registrant is the loss ratio determined in accordance with subsection (4) if:

(a) the new registrant and prior registrant are not related within the meaning of subsection 31.1(2); and

(b) the new registrant has registered or has applied to register commercial vehicles that were previously owned by the prior registrant.

(4) In the circumstances mentioned in subsection (3), the loss ratio for the new registrant is the ratio LRNR determined in accordance with the following formula:

$$\text{LRNR} = \left(\text{LRPR} \times \frac{\text{PV}}{\text{TV}} \right) + \left(70.1\% \times \frac{\text{NV}}{\text{TV}} \right)$$

where:

LRPR is the loss ratio for the prior registrant as determined in accordance with section 31.3;

PV is the number of vehicles that were previously registered by the prior registrant and are now registered by the new registrant or with respect to which the new registrant has applied for registration;

NV is the number of vehicles registered by the new registrant or with respect to which the new registrant has applied for registration excluding those vehicles that were previously registered by the prior registrant;

TV is the total number of vehicles registered by the new registrant or with respect to which the new registrant has applied for registration.

20 Feb 2004 SR 5/2004 s6.

Discount on basic premium

31.5(1) No registrant with a loss ratio greater than 70% is entitled to a discount in the basic premium established pursuant to subsection 5(2) of the Act.

(2) Subject to these regulations, a registrant is entitled to a discount in the basic premium only if:

- (a) the commercial vehicle with respect to which the discount is to be paid is registered in the name of the registrant;
- (b) the registrant has a loss ratio equal to or less than 70%; and
- (c) either:
 - (i) the registrant has held a certificate of registration in Saskatchewan for at least 12 months preceding the registrant's assessment date; or
 - (ii) in the case of a registrant who has not held a certificate of registration in Saskatchewan for at least 12 months preceding the registrant's assessment date, the registrant provides the insurer with evidence satisfactory to the insurer to establish that the registrant should be provided with a discount to the basic premium on the basis of the registrant's chargeable incidents over the five years preceding the registrant's assessment date.

(3) If a registrant is entitled to a discount in the premium payable, the premium payable for each commercial vehicle registered to that registrant is the amount PP calculated in accordance with the following formula:

$$PP = BP - (BP \times DA)$$

where:

BP is the basic premium established pursuant to subsection 5(2) of the Act;

DA is the identified discount percentage based on the registrant's loss ratio determined using the commercial rating scale set out in Table 4.

20 Feb 2004 SR 5/2004 s6; 29 Oct 2004 SR 97/
2004 s5.

Surcharge on basic premium

31.51(1) A registrant with a loss ratio greater than 70% shall pay a surcharge in the amount determined in accordance with subsections (2) and (3).

(2) If a registrant is required to pay a surcharge in addition to the basic premium, the amount payable for each commercial vehicle registered to that registrant is the amount PP calculated in accordance with the following formula:

$$PP = BP + (BP \times SA)$$

where:

BP is the basic premium; and

SA is either:

(a) the identified surcharge percentage based on the registrant's loss ratio determined using the commercial rating scale set out in Table 5; or

(b) subject to subsection (3), if the registrant has only one chargeable incident, one-half of the identified surcharge percentage based on the registrant's loss ratio determined using the commercial rating scale set out in Table 5.

(3) For the purposes of clause (b) of the definition of SA in subsection (2), if one-half of the identified surcharge percentage for a registrant does not correspond with a surcharge percentage set out in Table 5, the insurer shall attribute to the registrant the next lowest surcharge percentage for the purposes of calculating the amount of the registrant's surcharge.

20 Feb 2004 SR 5/2004 s6; 29 Oct 2004 SR 97/
2004 s6.

Claims payback

31.6(1) If a commercial vehicle is involved in a motor vehicle accident and that motor vehicle accident is a chargeable incident respecting the commercial vehicle, the registrant who registered the commercial vehicle may elect to reimburse the insurer for any moneys paid out by the insurer pursuant to Parts III and IV of the Act on behalf of that commercial vehicle.

(2) If a registrant elects to reimburse the insurer pursuant to subsection (1) and makes full payment in that regard:

(a) the motor vehicle accident is not to be considered a chargeable incident for the purposes of this Part; and

(b) the insurer shall adjust the registrant's loss ratio and reimburse the registrant for any surcharge imposed with respect to that accident that the registrant was required to pay in the period following the registrant's most recent assessment date set pursuant to section 31.21.

20 Feb 2004 SR 5/2004 s6.

Where no surcharge is payable

31.7(1) This section applies to a registrant only if the insurer:

(a) has determined a safety rating pursuant to Part VIII for the registrant in the registrant's capacity as a driver; and

(b) has determined that the registrant must pay a surcharge in accordance with Part VIII.

(2) This section does not apply to commercial vehicles that are registered in Saskatchewan pursuant to the IRP.

(3) In the circumstances mentioned in subsection (1), the registrant is not required to pay a surcharge on the basic premium for the registrant's commercial vehicles.

20 Feb 2004 SR 5/2004 s6.

Loss ratio respecting certain registrants with IRP commercial vehicles

31.8(1) In this section and in sections 31.81 and 31.9:

(a) **"chargeable incident"** means an accident involving an IRP commercial vehicle in which the driver of the IRP commercial vehicle caused or contributed to the accident and is at least 50% at fault for the accident;

(b) **"claims paid"** means, with respect to a calendar year, the sum of all amounts paid by any person who insures the IRP commercial vehicles on behalf of a registrant that are attributable to all chargeable incidents involving the registrant's IRP commercial vehicles that occurred in the year;

(c) **"IRP commercial vehicle"** means a commercial vehicle registered in Saskatchewan pursuant to the IRP;

(d) **"loss ratio"** means the loss ratio calculated pursuant to subsection (2);

(e) **"national safety code audit"** means an audit conducted pursuant to the national safety code that was adopted by the Council of Ministers Responsible for Transportation;

(f) **"premiums paid"** means, with respect to a calendar year, the amount of all premiums paid pursuant to the Act to the insurer on behalf of the registrant to register all of the registrant's IRP commercial vehicles for that calendar year.

(2) For the purposes of this section and sections 31.81 and 31.9, the loss ratio respecting IRP commercial vehicles of a registrant that has registered IRP commercial vehicles with the administrator is the amount LR expressed as a percentage and calculated in accordance with the following formula:

$$LR = \frac{(CP1 + CP2 + CP3 + CP4 + CP5)}{(PP1 + PP2 + PP3 + PP4 + PP5)} \times 100$$

where:

CP1 is the amount of claims paid on behalf of the registrant, or a person operating the vehicle on behalf of the registrant, with respect to chargeable incidents that occurred in the calendar year before the registrant's assessment date;

CP2 is the amount of claims paid on behalf of the registrant, or a person operating the vehicle on behalf of the registrant, with respect to chargeable incidents that occurred in the calendar year that is two years before the registrant's assessment date;

CP3 is the amount of claims paid on behalf of the registrant, or a person operating the vehicle on behalf of the registrant, with respect to chargeable incidents that occurred in the calendar year that is three years before the registrant's assessment date;

CP4 is the amount of claims paid on behalf of the registrant, or a person operating the vehicle on behalf of the registrant, with respect to chargeable incidents that occurred in the calendar year that is four years before the registrant's assessment date;

CP5 is the amount of claims paid on behalf of the registrant, or a person operating the vehicle on behalf of the registrant, with respect to chargeable incidents that occurred in the calendar year that is five years before the registrant's assessment date;

PP1 is the amount of premiums paid on behalf of the registrant to register all of its IRP commercial vehicles for the calendar year that precedes the registrant's assessment date;

PP2 is the amount of premiums paid on behalf of the registrant to register all of its IRP commercial vehicles for the calendar year that is two years before the registrant's assessment date;

PP3 is the amount of premiums paid on behalf of the registrant to register all of its IRP commercial vehicles for the calendar year that is three years before the registrant's assessment date;

PP4 is the amount of premiums paid on behalf of the registrant to register all of its IRP commercial vehicles for the calendar year that is four years before the registrant's assessment date;

PP5 is the amount of premiums paid on behalf of the registrant to register all of its IRP commercial vehicles for the calendar year that is five years before the registrant's assessment date.

20 Feb 2004 SR 5/2004 s6; 23 Jan 2009 SR 6/
2009 s15.

Surcharge respecting certain registrants with IRP commercial vehicles

31.81(1) This section applies to a registrant only if:

- (a) the registrant has registered six or more IRP commercial vehicles with the administrator; and
- (b) the registrant's loss ratio is more than 80%.

(2) Notwithstanding section 31.51, if this section applies to a registrant, a registrant shall pay a surcharge for each IRP commercial vehicle in an amount determined by the insurer based on sound underwriting practices and taking into consideration the following criteria:

- (a) the length of time that the registrant has been operating as a commercial carrier in any jurisdiction;
- (b) the number of accidents that the registrant's IRP commercial vehicle has been involved in and the dollar amounts paid on behalf of the registrant in any jurisdiction in which the carrier has operated;
- (c) the jurisdictions where the registrant operates the IRP commercial vehicle and the percentage of time spent and distance travelled in each of those jurisdictions;
- (d) the driving records of the registrant's drivers who operate the IRP commercial vehicle;
- (e) the types of goods that the registrant carries on the IRP commercial vehicle;
- (f) the rating for the IRP commercial vehicle as determined by the national safety code audit.

(3) Notwithstanding subsection (2), the maximum surcharge that the insurer may require a registrant to pay for an IRP commercial vehicle is the amount PP calculated in accordance with the formula set out in subsection 31.51(2), as if that subsection were applicable to the registrant, where SA in that formula is two times the highest identified surcharge percentage set out in Table 5.

20 Feb 2004 SR 5/2004 s6; 29 Oct 2004 SR 97/
2004 s7.

Surcharge on certain new registrant registering IRP commercial vehicles

31.9(1) In this section, "**new IRP registrant**" means a registrant that:

- (a) has never previously registered an IRP commercial vehicles with the administrator; or
 - (b) has not registered an IRP commercial vehicle with the administrator within the five years before the current registration.
- (2) This section applies only to new IRP registrants that have been carrying on business as a commercial carrier for less than three years.
- (3) Notwithstanding any other provision of these regulations, no new IRP registrant to whom this section applies is entitled to a discount in its basic premium.
- (4) Notwithstanding sections 31.51 and 31.8, a new IRP registrant shall pay a surcharge in addition to the basic premium on each of its IRP commercial vehicles of:
- (a) 100% of the basic premium in the first year that the new IRP registrant carries on business as a commercial carrier;
 - (b) in the case of a new IRP registrant that has carried on business as a commercial carrier for at least one year but less than two years and that:
 - (i) has registered five or fewer IRP commercial vehicles, 50% of the basic premium;
 - (ii) has registered six or more IRP commercial vehicles and that has a loss ratio of 80% or less, 50% of the basic premium;
 - (iii) has registered six or more IRP commercial vehicles and that has a loss ratio greater than 80%, the greater of:
 - (A) 50% of the basic premium; and
 - (B) the surcharge determined pursuant to section 31.8;
 - (c) in the case of a new IRP registrant that has carried on business as a commercial carrier for at least two years but less than three years and that:
 - (i) has registered five or fewer IRP commercial vehicles, 25% of the basic premium;
 - (ii) has registered six or more IRP commercial vehicles and that has a loss ratio of 80% or less, 25% of the basic premium;
 - (iii) has registered six or more IRP commercial vehicles and that has a loss ratio greater than 80%, the greater of:
 - (A) 25% of the basic premium; and
 - (B) the surcharge determined pursuant to section 31.8.

**PART IX
Appeals****Fee to appeal**

32(1) The fee to appeal the insurer's decision pursuant to sections 7.2 or 10.1 of the Act is \$25.

(2) The insurer shall refund the fee paid pursuant to subsection (1) if the insured is successful on appeal.

23 Aug 2002 cA-35 Reg 4 s32.

Rates Appeal Board remuneration and reimbursement

33 Members of the Rates Appeal Board are entitled to receive:

- (a) \$150 per day for attendance at sittings of the board; and
- (b) the expense allowances currently payable to Saskatchewan Government Insurance employees for expenses incurred on corporation business with respect to travel and sustenance.

23 Aug 2002 cA-35 Reg 4 s33.

**PART X
Licence Issuers****Persons designated**

34 Persons who are authorized to accept applications and fees payable for a certificate of registration or permit for any vehicle or for a licence to drive pursuant to *The Vehicle Administration Act* are designated to accept applications and premiums for insurance pursuant to the Act.

23 Aug 2002 cA-35 Reg 4 s34.

**PART XI
Transitional and Coming into Force****Repeal**

35 The Automobile Accident Insurance Regulations, 1981, being Saskatchewan Regulations 2/81, are repealed.

23 Aug 2002 cA-35 Reg 4 s35.

Transitional for operator's certificate

36(1) Subject to subsection (4), if an operator's certificate is purchased before January 1, 2003, and the operator's certificate is cancelled because the person named on the certificate has ceased to reside in Saskatchewan or has died, the insurer shall refund to that person or that person's estate, the amount by which the basic premium actually paid for the operator's certificate exceeds the prorated premium for the period during which the certificate was in force.

(2) Subject to subsection (4), if an operator's certificate is purchased before January 1, 2003 and the person named in the operator's certificate is either disqualified from driving pursuant to section 74 of *The Vehicle Administration Act* or prohibited from operating a vehicle pursuant to section 259 of the *Criminal Code*, the insurer shall refund to that person the amount by which the basic premium actually paid for the operator's certificate exceeds the prorated premium for the period during which the certificate was in force.

(3) If an operator's certificate is purchased before January 1, 2003 and the operator's certificate is cancelled or revoked on grounds of the driver's infirmity through age, illness or other physical, mental or emotional disability, the insurer shall refund to the person whose driver's licence has been cancelled or revoked the amount by which the basic premium actually paid for an operator's certificate exceeds the prorated premium for the period during which the certificate was in force.

(4) Subject to subsection (5), the insurer is entitled to retain from any refunds otherwise payable pursuant to this section with respect to an operator's certificate an amount equal to the greater of:

- (a) \$10; and
- (b) two-twelfths of the annual premium.

(5) Subsection (4) does not apply to a refund payable pursuant to subsection (3).

(6) For the purposes of this section, the amount of the prorated premium is calculated on the basis of the annual premium that the operator was obligated to pay at the time the operator's certificate was purchased, regardless of the date of issue of the operator's certificate.

23 Aug 2002 cA-35 Reg 4 s36.

Coming into force

37(1) Subject to subsections (2) and (3), these regulations come into force on the day on which section 27 of *The Automobile Accident Insurance Amendment Act, 2002* comes into force, but are retroactive and are deemed to have been in force on and from July 1, 2002.

(2) Subject to subsection (3), if these regulations are filed with the Registrar of Regulations after the day on which section 27 of *The Automobile Accident Insurance Amendment Act, 2002* comes into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations but are retroactive and are deemed to have been in force on and from July 1, 2002.

(3) Section 12 and subsections 24(6) and (7) of these regulations come into force on September 1, 2002.

23 Aug 2002 cA-35 Reg 4 s37.

Appendix A

(The deductible amount is the amount set out in the column headed
"Comprehensive Deductible" opposite the Class to which the vehicle belongs.)

Class	Comprehensive Deductible
CLASS LV	
For each vehicle registered as a light vehicle	
1. That is a motorcycle (including a motor scooter) used for any purpose and regardless of model year and engine capacity	\$ 700
2. That is a pedal cycle with motor attachment	350
3. That is an ambulance and is used as an ambulance	700
4. That is a motorhome, regardless of use, that is registered at a gross vehicle weight rating of less than 15 001 kilograms	700
5. That is not otherwise provided for and is a bus that is registered at a gross vehicle weight rating of less than 15 001 kilograms	700
6. That is not otherwise provided for and has been assigned a rate category by the insurer and is:	
(a) a hearse and is used as a hearse	700
(b) a police car and is used as a police car	700
(c) a U-Drive passenger vehicle	700
(d) a U-Drive commercial vehicle that is a one ton model vehicle or smaller	700
(e) a private motor vehicle	700
(f) a farm vehicle	700
(g) an antique motor vehicle	500

CLASS PV**For each vehicle registered as a passenger vehicle**

1. That is not otherwise provided for and is larger than than a one ton vehicle model:	
(a) a police vehicle and is used as a police vehicle	\$ 700
(b) a U-Drive passenger vehicle	700
(c) a private motor vehicle	700
(d) an antique motor vehicle	500

2. That is a motorhome, regardless of use, model year or value and that is registered at a gross vehicle weight rating of 15 001 kilograms or greater 700
3. That is not otherwise provided for and is a bus and is registered at a gross vehicle weight rating of 15 001 kilograms or greater 700
4. That is an industrial-tracked vehicle designed to transport passengers or goods on unprepared surfaces 700

CLASS T**For each vehicle registered as a trailer or semi-trailer (private)**

1. That is a tent, collapsible cabin, or cabin trailer or semi-trailer used for U-Drive purposes \$ 400
2. That is a tent trailer 400
3. That is a trailer or semi-trailer, other than of cabin or tent type 400
4. That is a cabin trailer or U-Drive vehicle having an estimated present value of:
 - Up to and including \$1,000 400
 - Exceeding \$1,000 500

CLASS PS**For each vehicle registered as a passenger school bus**

- That is a passenger school bus or snowplane, regardless of model year or seating capacity \$ 700

CLASS PB**For each vehicle registered as a public service vehicle (intercity passenger bus)**

- That is an intercity passenger bus, regardless of model year or seating capacity \$ 800

CLASS PC**For each vehicle registered as a public service vehicle (city passenger bus)**

- That is a city passenger bus, regardless of model year or seating capacity \$ 800

CLASS PT**For each vehicle registered as a public service vehicle (passenger taxi)**

- That is a passenger taxi regardless of location \$ 700

CLASS A**For each vehicle registered as a public service vehicle**

1. Engaged in the transportation of goods and commodities:
 - (a) that is a truck, van or sport utility vehicle
registered under IRP that is a one ton model or smaller \$ 700
 - (b) that is a truck, van or power unit larger
than a one ton model 2,500
2. That is an industrial-tracked vehicle designed to
transport passengers or goods on unprepared surfaces 700

CLASS C**For each vehicle registered as a commercial vehicle**

1. That is a tractor (not used for farm purposes)
regardless of value \$ 700
2. That is an industrial-tracked vehicle designed
to transport passengers or goods on unprepared surfaces 700
3. That is not otherwise provided for:
 - (a) that is a truck or van, regardless of model year
or value, that is larger than a one ton model 700
 - (b) that is a U-Drive commercial vehicle larger
than a one ton model 700
 - (c) that is a power unit, regardless of gross weight,
model year or value 700

CLASS D**For each vehicle registered as a commercial vehicle**

1. That is a truck or van, regardless of model
year or value, that is larger than a one ton model \$ 700
2. That is a U-Drive commercial vehicle larger
than a one ton model 700
3. That is a power unit, regardless of gross weight,
model year or value 700
4. That is an industrial-tracked vehicle designed to
transport passengers or goods on unprepared surfaces 700
5. That is not otherwise provided for 700

CLASS TS**For each vehicle registered as a trailer
or semi-trailer (commercial)**

- That is a trailer or semi-trailer, regardless of value \$ 500

CLASS L AND LT**For each application for a licensed dealer registration**

- (a) if the registrant is engaged in the business of
buying, selling or moving motor vehicles,
regardless of model year or gross weight \$ 700
- (b) if the registrant is engaged in the business of
buying, selling or moving motor cycles 700
- (c) if the registrant is engaged in the business of
buying, selling or moving motorized bicycles 350
- (d) if the registrant is engaged in the business of
buying, selling or moving trailers, regardless of type 500
- (e) that is not otherwise provided for 700

CLASS F**For each vehicle registered as a farm vehicle**

- 1. That is a truck regardless of gross weight \$ 700
- 2. That is a van larger than a one ton model 700
- 3. That is a power unit 700
- 4. That is a semi-trailer or gooseneck trailer 500
- 5. That is a trailer not otherwise provided for 400

Appendix B CHARGEABLE INCIDENTS

		Points
1 Motor Vehicle Accidents		
A motor vehicle accident where:		
(a) loss or damage arises on account of which the insurer makes a payment of \$305 or more pursuant to the Act; and		
(b) subject to clause 2(b), a driver is determined to be at least 50% at fault for the accident		6
2 Motor Vehicle Accidents		
A motor vehicle accident where:		
(a) loss or damage arises on account of which the insurer makes a payment of \$305 or more pursuant to the Act; and		
(b) each driver involved in the motor vehicle accident is determined to be 50% at fault for the accident		3
3 Suspension		
A suspension pursuant to section 91 of <i>The Highway Traffic Act</i> or section 146 of <i>The Traffic Safety Act</i>		4
4 Suspension or Disqualification		
A suspension or disqualification pursuant to section 78.2 of <i>The Vehicle Administration Act</i> or section 150 of <i>The Traffic Safety Act</i> that has not been cancelled after a review pursuant to section 78.3 or 78.5 of <i>The Vehicle Administration Act</i> or section 152 of <i>The Traffic Safety Act</i> , as the case may be		4
5 Convictions pursuant to <i>The Traffic Safety Act</i>	Provision	Points
A conviction registered against a driver pursuant to the Act for any offence listed below or for any offence pursuant to any law of any province or state or a bylaw of any municipal corporation or duly constituted authority in Canada or the United States of America that is substantially similar to the offences listed below:		
5.1 Driving while disqualified	140(1)	10
5.2 Driving while on a 24-hour suspension	140(3)	4
5.3 Driving while the administrator has refused to issue, suspended or cancelled a licence under the Act	140(5)	4
5.4 Driving in excess of 50 kilometres per hour over the applicable speed limit	199(2)	4

5.5 Exceeding a speed that is reasonable and safe in the circumstances	199(3)	4
5.6 Driving at a speed that impedes traffic	199(4)	3
5.7 Exceeding the speed limit in a school zone	200(2)	3
5.8 Exceeding 60 kilometres per hour when passing a highway worker or flag person	203(1)	3
5.9 Failing to obey the direction of a flag person or peace officer	203(3)	3
5.10 Exceeding 60 kilometres per hour when passing a stopped emergency vehicle that has its emergency lights in operation	204(1)	3
5.11 Exceeding 60 kilometres per hour when passing a stopped tow truck that has its amber lights in operation	205(1)	3
5.12 Failing to obey traffic control device	208(2)	4
5.13 Failing to obey directions of a peace officer	208(3)	3
5.14 Failing to obey a stop sign	209(6)(a)	4
5.15 Failing to obey a stop signal at a railway crossing	209(6)(b)	4
5.16 Failing to stop for a crossing guard	209(6)(c)	4
5.17 Bus transporting passengers failing to stop at a level railway crossing	209(7)(a)	4
5.18 Vehicle transporting goods and required to be placarded failing to stop at a level railway crossing	209(7)(b)	4
5.19 After stopping at a level railway crossing, proceeding while it is unsafe	209(8)	4
5.20 Failing to comply with the request of a peace officer	209.1(3)	3
5.21 Passing a school bus that has its safety lights in operation	212(2)	4
5.22 Failing to stop five metres from the rear of a school bus that has its safety lights and stop arm in operation	212(3)	4
5.23 Failing to stop five metres from the front of a school bus that has its safety lights and stop arm in operation	212(4)	4
5.24 Driving without due care and attention	213(1)	4
5.25 Driving without reasonable consideration of others	213(2)	4
5.26 Driving in a contest of speed or racing with another vehicle on the highway	214(1)	4
5.27 Driver performing an activity on a highway that is likely to distract, startle or interfere with other users of the highway	214(2)	4
5.28 Passing to the right of a vehicle	217(1)(b)	4
5.29 Increasing speed when being overtaken	217(5)	3

5.30 Failing to yield the right of way to vehicle on the right	219(1)	3
5.31 Failing to yield the right of way when making a left turn	219(3)	3
5.32 Failing to yield the right of way when entering a provincial highway	219(4)	3
5.33 Failing to yield the right of way at a "yield" sign	219(5)	3
5.34 Failing to yield the right of way on entering a highway from other than a highway	219(6)	3
5.35 After yielding the right of way, proceeding while it was unsafe	219(8)	3
5.36 Proceeding the wrong way on a one-way highway	221	3
5.37 Failing to yield the right of way to pedestrians at a highway intersection or marked pedestrian crossing in the required manner	223(1)	3
5.38 Driver failing to stop the vehicle for a pedestrian at a marked pedestrian crossing in the required manner	223(1.1)	3
5.39 Passing a vehicle stopped for pedestrians	223(2)	3
5.40 Entering or leaving a controlled access highway except where the right to do so is indicated by a sign	226	4
5.41 Driving on the left-hand side of median	229(1)	4
5.42 Crossing a median unlawfully	229(2)	4
5.43 Failing to use a signalling device to warn of intention to stop or to abruptly reduce speed	234(1)	3
5.44 Failing to use a signalling device to warn of the intention to change lanes	234(1)	3
5.45 Driving contrary to a sign at an intersection with a green light	235(2)(a)	3
5.46 Driver failing to stop at crosswalk against an amber light	235(3)(a)	3
5.47 Failing to yield the right of way to a pedestrian at a marked crosswalk displaying only an amber light	235(4)	3
5.48 Failing to stop at a red light at an intersection	235(5)(a)	4
5.49 Making a right turn at a red light when prohibited by a sign	235(5)(b)	3
5.50 Making a left turn on a one-way street on a red light without stopping	235(6)(a)	4
5.51 Making a left turn on a one-way street on a red light without yielding the right of way	235(6)(b)	3

5.52	Proceeding at an intersection in a direction not indicated by a green arrow	235(8)	3
5.53	Failing to yield at an intersection displaying a red light with a green arrow	235(9)	3
5.54	Failing to yield at a place other than an intersection displaying a red light with a green arrow	235(10)	3
5.55	Proceeding contrary to a green arrow	235(11)	3
5.56	Failing to obey a red flashing light, stopping at the wrong place or failing to stop or proceeding while it is unsafe to do so	235(13)	4
5.57	Failing to proceed cautiously at a flashing amber light	235(14)	3
5.58	Failing to yield the right of way to pedestrians at a "walk" signal	237(2)(b)	3
5.59	Failing to yield to an emergency vehicle	238(9)	4
5.60	Driving a commercial vehicle on a highway that is equipped with, contains or is carrying a radar warning device	242(2)(a)	3
5.61	Permitting a commercial vehicle to become or remain equipped with a radar warning device	242(2)(b)	3
5.62	Permitting a person to ride on the exterior part of a vehicle	244(1)	3
5.63	Permitting an over-crowded driving compartment	245(3)	3
5.64	Driver failing to wear a seat-belt assembly	248(1)	3
5.65	Driving a vehicle with an unrestrained passenger under 16 years of age	248(4) or (5)	3
5.66	Failure to report an accident	253(2) or (3)	4
5.67	Providing a false statement	272	4
6	Convictions pursuant to <i>The Highways and Transportation Act, 1997</i>	Provision	Points
	A conviction registered against a driver pursuant to the Act for any offence listed below or for any offence pursuant to any law of any province or state or a bylaw of any municipal corporation or duly constituted authority in Canada or the United States of America that is substantially similar to the offences listed below:		
6.1	Driving a vehicle loaded insecurely	40(2)	4
6.2	Driving a vehicle where discharge, emission or escape of dangerous goods occurs or is imminent	40(3)	4
6.3	Operating a vehicle carrying a cargo not secured in accordance with the regulations	40(4)	4

7 Convictions pursuant to *The School Bus Operating Regulations, 1987***Provision Points**

A conviction registered against a driver pursuant to the regulations for any offence listed below or for any offence pursuant to any law of any province or state or a bylaw of any municipal corporation or duly constituted authority in Canada or the United States of America that is substantially similar to the offences listed below:

7.1	Entering provincial highway without stopping bus	3(h)	4
7.2	Discontinuing the operation of safety lights before it is safe to do so	4(a)	4
7.3	Failure to activate strobe lights on the bus any time the driver is transporting passengers outside a city, town or village	4(a.1)	4
7.4	Failing to activate the stop arm when the bus is stopped for the purpose of loading or unloading children	4(b)	4
7.5	Failing to stop at a railway crossing	4(e)	4

8 Convictions pursuant to the *Criminal Code***Provision Points**

A conviction registered against a driver pursuant to the Act for any offence listed below or for any offence pursuant to any law of any province or state or a bylaw of any municipal corporation or duly constituted authority in Canada or the United States of America that is substantially similar to the offences listed below:

8.1	Criminal Negligence	219	10
8.2	Causing death by criminal negligence in the operation of a vehicle	220	10
8.3	Causing bodily injury by criminal negligence in the operation of a vehicle	221	10
8.4	Manslaughter	236	10
8.5	Dangerous operation of a vehicle	249(1)(a)	10
8.6	Dangerous operation of a vehicle causing bodily injury	249(3)	10
8.7	Dangerous operation of a vehicle causing death	249(4)	10
8.8	Flight	249.1	10
8.9	Causing death by Street Racing	249.2	10

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8.10	Causing bodily injury by Street Racing	249.3	10
8.11	Dangerous operation of a vehicle while street racing	249.4	10
8.12	Failure to stop at scene of accident	252	10
8.13	Driving or having care and control of a vehicle while impaired	253(1)(a)	10
8.14	Driving or having care and control of a vehicle with a blood alcohol level over .08	253(1)(b)	10
8.15	Failure to comply with a demand	254(5)	10
8.16	Impaired driving, driving or having care and control of a vehicle with a blood alcohol level over .08 or failure to comply with a demand, causing bodily harm	255(2), (2.1) or (2.2)	10
8.17	Impaired driving, driving or having care and control of a vehicle with a blood alcohol level over .08 or failure to comply with a demand, causing death	255(3), (3.1) or (3.2)	10
8.18	Driving while disqualified	259(4)	10

23 Jan 2009 SR 6/2009 s16.

Appendix C

TABLE 1

[Section 4]

Percentage**Repealed.** 29 Oct 2004 SR 97/2004 s8.

TABLE 2

[Section 28]

Safety Rating Surcharge

Accumulated Points	Surcharge Amount
0	\$ 0
-1	\$ 25
-2	\$ 50
-3	\$ 75
-4	\$100
-5	\$125
-6	\$150
-7	\$175
-8	\$200
-9	\$225
-10	\$250
-11	\$275
-12	\$300
-13	\$325
-14	\$350
-15	\$375
-16	\$400
-17	\$425
-18	\$450
-19	\$475
-20 or less	\$500.

TABLE 3
[Section 29]**Available Discount**

Accumulated Points	Discount Amount
0	0%
+ 1	2%
+ 2	4%
+ 3	6%
+ 4	8%
+ 5	10%
+ 6	12%
+ 7	14%
+ 8	16%
+ 9	18%
+10 or greater	20% maximum

19 Nov 2004 SR 108/2004 s11.

TABLE 4
[Section 31.5]**Commercial Rating Discount**

Loss Ratio	Discount
0%	10%
more than 0% and equal to or less than 10%	8%
more than 10% and equal to or less than 20%	6%
more than 20% and equal to or less than 30%	6%
more than 30% and equal to or less than 40%	6%
more than 40% and equal to or less than 50%	4%
more than 50% and equal to or less than 60%	4%
more than 60% and equal to or less than 70%	4%

19 Nov 2004 SR 108/2004 s11.

TABLE 5
[Section 31.51]**Commercial Rating Surcharge**

Loss Ratio	Surcharge
more than 70% and equal to or less than 80%	0
more than 80% and equal to or less than 90%	10%
more than 90% and equal to or less than 100%	20%
more than 100% and equal to or less than 110%	35%
more than 110% and equal to or less than 120%	50%
more than 120% and equal to or less than 130%	65%
more than 130% and equal to or less than 140%	80%
more than 140% and equal to or less than 150%	95%
more than 150% and equal to or less than 160%	105%
more than 160% and equal to or less than 170%	115%
more than 170% and equal to or less than 180%	130%
more than 180% and equal to or less than 190%	145%
more than 190% and equal to or less than 200%	160%
more than 200% and equal to or less than 250%	175%
more than 250% and equal to or less than 300%	185%
more than 300% and equal to or less than 350%	195%
more than 350% and equal to or less than 400%	200%
more than 400%	200%

20 Feb 2004 SR 5/2004 s7.

Appendix D
Eligible vehicles
[Clause 9.31(e)]

1. Vehicles with a 2006 model year

- 1.1 Smart ForTwo CDI (Coupe or Cabriolet), 0.8 litre, 3 cylinder vehicle
- 1.2 Volkswagen New Beetle TDI, 1.9 litre, 4 cylinder vehicle
- 1.3 Volkswagen Golf TDI, 1.9 litre, 4 cylinder vehicle
- 1.4 Volkswagen Jetta TDI, 1.9 litre, 4 cylinder vehicle
- 1.5 Volkswagen Jetta Wagon TDI, 1.9 litre, 4 cylinder vehicle
- 1.6 Toyota Yaris, 1.5 litre, 4 cylinder vehicle
- 1.7 Toyota Corolla, 1.8 litre, 4 cylinder vehicle

2. Vehicles with a 2007 model year

- 2.1 Toyota Yaris 1.5 litre, 4 cylinder vehicle
- 2.2 Toyota Corolla, 1.8 litre, 4 cylinder vehicle
- 2.3 Mini Cooper 1.6 litre 4 cylinder vehicle
- 2.4 Jeep Compass 2 x 4, 2.0 or 2.4 litre, 4 cylinder vehicle
- 2.5 Jeep Patriot 2 x 4, 2.0 or 2.4 litre, 4 cylinder vehicle

3. Vehicles with a 2008 model year

- 3.1 Smart ForTwo (Coupe or Convertible) 1.0 litre, 3 cylinder vehicle
- 3.2 Toyota Corolla 1.8 litre, 4 cylinder vehicle
- 3.3 Toyota Yaris, 1.5 litre, 4 cylinder vehicle
- 3.4 Mini Cooper Clubman, 1.6 litre, 4 cylinder vehicle
- 3.5 Mini Cooper 1.6 litre, 4 cylinder vehicle
- 3.6 Nissan Rogue FWD 2.5 litre, 4 cylinder vehicle
- 3.7 Honda Civic (2 door or 4 door) 1.8 litre, 4 cylinder vehicle
- 3.8 Honda Fit 1.5 litre, 4 cylinder vehicle
- 3.9 Jeep Compass 2x4, 2.0 or 2.4 litre, 4 cylinder vehicle
- 3.10 Jeep Compass 4x4, 2.4 litre, 4 cylinder vehicle
- 3.11 Jeep Patriot 2x4, 2.0 or 2.4 litre, 4 cylinder vehicle
- 3.12 Jeep Patriot 4x4, 2.4 litre, 4 cylinder vehicle
- 3.13 Chevrolet HHR FWD, 2.2 litre 4 cylinder vehicle
- 3.14 Chevrolet HHR panel FWD, 2.2 litre, 4 cylinder vehicle

4. Vehicles with a 2009 model year

- 4.1 Smart ForTwo (Coupe or Cabrolet) 1.0 litre, 3 cylinder vehicle
- 4.2 Toyota Yaris, 1.5 litre, 4 cylinder vehicle
- 4.4 Mini Cooper Convertible, 1.6 litre, 4 cylinder vehicle
- 4.4 Mini Cooper Clubman, 1.6 litre, 4 cylinder vehicle
- 4.5 Mini Cooper, 1.6 litre, 4 cylinder vehicle
- 4.6 Nissan Rogue FWD 2.5 litre, 4 cylinder vehicle
- 4.7 Honda Civic, 1.8 litre, 4 cylinder vehicle
- 4.8 Honda Fit, 1.5 litre, 4 cylinder vehicle
- 4.9 Jeep Compass 2x4, 2.0 or 2.4 litre, 4 cylinder vehicle
- 4.10 Jeep Compass 4x4, 2.4 litre, 4 cylinder vehicle
- 4.11 Jeep Patriot 2x4, 2.0 or 2.4 litre, 4 cylinder vehicle
- 4.12 Jeep Patriot 4x4, 2.4 litre, 4 cylinder vehicle
- 4.13 Chevrolet HHR FFV, 2.2 or 2.4 litre, 4 cylinder vehicle
- 4.14 Chevrolet HHR Panel, FFV, 2.2 or 2.4 litre, 4 cylinder vehicle
- 4.15 Volkswagen Jetta TDI Clean Diesel, 2.0 litre, 4 cylinder vehicle
- 4.16 Volkswagen Jetta Wagon TDI Clean Diesel, 2.0 litre, 4 cylinder vehicle
- 4.17 Ford Escape, 2.5 litre, 4 cylinder vehicle
- 4.18 Mazda Tribute, 2.5 litre, 4 cylinder vehicle

24 Apr 2009 SR 37/2009 s4.

Editorial Appendix**NOTE: SR 5/2004, s.5, provides for the following transitional application:****“Transitional**

8 If a registrant as defined in section 31.1 of *The Automobile Accident Insurance (General) Regulations, 2002* pays an amount in addition to the basic premium for an existing certificate of insurance in accordance with section 8 of the Act before May 1, 2004, the insurer shall include the additional amount in calculating the amount PP1, PP2, PP3, PP4 and PP5 in accordance with subsection 31.3(3) or 31.8(2) of *The Automobile Accident Insurance (General) Regulations, 2002*”.

20 Feb 2004 SR 5/2004 s8.

Amendments

The following table contains amendments to be proclaimed and/or effective at a future date, as follows: (Please refer to the Tables of Saskatchewan Statutes and Regulations for complete historical/archival information on this publication)

Regulation	Section	Gazette Date	Effective
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The Business Corporations Regulations

being

Chapter B-10 Reg 1 (effective December 1, 1984) as amended by Saskatchewan Regulations 94/87, 123/92, 22/93, 39/93, 26/95, 72/1999, 76/2000, 71/2005, 56/2006 and 17/2009.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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Appendix
FORMS

Form 1	Articles of Incorporation	Form 19	Statement of Intent to Dissolve or Revocation of Intent to Dissolve
Form 2	Repealed	Form 20	Repealed
Form 3	Notice of Change of Registered Office	Form 21	Repealed
Form 3.1	Initial Notice of Registered Office	Form 22	Application for Registration
Form 4	Articles of Amendment	Form 23	Repealed
Form 5	Repealed	Form 24	Power of Attorney
Form 5.1	Repealed	Form 25	Application to Restore Name to the Register
Form 6	Notice of Change of Directors	Form 26	Annual Return Saskatchewan Corporation
Form 6.1	Initial Notice of Directors	Form 26.1	Annual Return Extra-Provincial Corporation
Form 7	Restated Articles of Incorporation	Form 27	Request for Name Availability Search and Reservation
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Form 9	Articles of Amalgamation	Form 29	Application for Exemption
Form 10	Repealed	Form 30	Statement of Proposed Continuance in Another Jurisdiction
Form 11	Articles of Continuance	Form 31	Repealed
Form 12	Repealed	Form 32	Application for Alternate Name
Form 13	Repealed	Form 33	Repealed
Form 14	Articles of Reorganization	Form 34	Application to Cancel an Alternate Name
Form 14.1	Articles of Arrangement	Form 34.1	Proxy Circular
Form 14.2	Repealed	Form 34.2	Statement of Executive Compensation
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Form 16	Repealed		
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Form 18	Repealed		



CHAPTER B-10 REG 1
The Business Corporations Act

PART I
Title and Interpretation

Title

- 1 These regulations may be cited as *The Business Corporations Regulations*.

Interpretation

- 2 In these regulations:

- (a) “**Act**” means *The Business Corporations Act*;
- (b) “**trade-mark**” means a trade-mark that is registered pursuant to the *Trade-marks Act* (Canada).

20 Nov 92 SR 123/92 s3.

PART II
General

Forms

- 3(1) Except where otherwise provided, the form to be used for:

- (a) articles of incorporation is Form 1;
- (b) **Repealed.** 29 Oct 99 SR 72/1999 s3.
- (c) a notice of change of registered office is Form 3;
- (c.1) an initial notice of registered office is Form 3.1;
- (d) articles of amendment is Form 4;
- (e) **Repealed.** 29 Oct 99 SR 72/1999 s3.
- (f) **Repealed.** 29 Oct 99 SR 72/1999 s3.
- (g) a notice of change of directors is Form 6;
- (g.1) an initial notice of directors is Form 6.1;
- (h) restated articles of incorporation is Form 7;
- (i) **Repealed.** 29 Oct 99 SR 72/1999 s3.
- (j) articles of amalgamation is Form 9;
- (k) **Repealed.** 29 Oct 99 SR 72/1999 s3.
- (l) articles of continuance is Form 11;
- (m) **Repealed.** 29 Oct 99 SR 72/1999 s3.

- (n) **Repealed.** 29 Oct 99 SR 72/1999 s3.
- (o) articles of reorganization is Form 14;
- (p) articles of arrangement is Form 14.1;
- (p.1) **Repealed.** 29 Oct 99 SR 72/1999 s3.
- (q) articles of revival is Form 15;
- (r) **Repealed.** 29 Oct 99 SR 72/1999 s3.
- (s) articles of dissolution is Form 17;
- (t) a certificate of dissolution is Form 18;
- (u) a statement of intent to dissolve or revocation of intent to dissolve is Form 19;
- (v) a certificate of intent to dissolve is Form 20;
- (w) **Repealed.** 29 Oct 99 SR 72/1999 s3.
- (x) an application for registration is Form 22;
- (y) **Repealed.** 29 Oct 99 SR 72/1999 s3.
- (z) a power of attorney is Form 24;
- (aa) an application to restore a name to the register is Form 25;
- (bb) an annual return - Saskatchewan Corporation is Form 26;
- (cc) an annual return - extra-provincial corporation is Form 26.1;
- (dd) a request for name search and name reservation is Form 27;
- (ee) a statement on continuance is Form 28;
- (ff) an application for exemption is Form 29;
- (gg) a statement of proposed continuance in another jurisdiction is Form 30;
- (hh) **Repealed.** 29 Oct 99 SR 72/1999 s3.
- (ii) an application for an alternate name is Form 32;
- (jj) **Repealed.** 29 Oct 99 SR 72/1999 s3.
- (kk) an application to cancel an alternate name is Form 34;
- (ll) **Repealed.** 29 Oct 99 SR 72/1999 s3.

(2) For the purposes of section 263 of the Act:

- (a) articles of incorporation sent to the Director pursuant to section 7 of the Act;
- (b) articles of amalgamation sent to the Director pursuant to section 179 of the Act; or
- (c) articles of continuance sent to the Director pursuant to section 181 of the Act;

are deemed to be an application for registration, and clause 263(c) of the Act does not apply with respect to such an application.

(3) Subject to subsection (4), where a form other than a form obtained from the Director is used, the form is to conform as closely as possible to the format of the prescribed form.

(4) A corporation shall submit an annual return on the form obtained for the purpose from the Director.

16 Nov 84 cB-10 Reg 1 s3; 20 Nov 92 SR 123/92
s4; 29 Oct 99 SR 72/1999 s3.

Content of forms

4 Where a document referred to in the Act or these regulations is to be completed:

- (a) the document is to be printed or type-written on good quality, white paper of approximately 21.5 x 28 cm, so that the document is suitable for microfilming and photocopying;
- (b) each individual item in the document is to be set out, where possible, in one or more contiguous, sequentially numbered sections preceded by an appropriate heading;
- (c) numbers are to be in numerals and not in words;
- (d) information is to be set out, where possible, in tabular form;
- (e) an abbreviation formed by the truncation of a word is to be followed by a period;
- (f) an abbreviation formed by the deletion of letters from the middle of a word is not to be followed by a period;
- (g) a corporate name in the document may contain letters that are not followed by a period.

16 Nov 84 cB-10 Reg 1 s4.

Item not applicable

5 Where an item of information required in a form pursuant to these regulations does not apply to the case of the person completing the form, "not applicable" or "N/A" is to be used to so indicate or a brief explanatory statement is to be provided.

16 Nov 84 cB-10 Reg 1 s5.

Incorporation by reference

6(1) Subject to subsection (2), where:

- (a) a provision required to be set out in a form furnished by the Director is too long to be set out in the space provided in the form; or
- (b) an agreement or other document is to be incorporated by reference in and is to be part of the form;

the person completing the form may incorporate the provision, agreement or other document in the form by:

- (c) stating in the space provided in the form "The attached schedule 1 (*or as the case may be*) is incorporated in this form"; and
- (d) attaching the provision, agreement or other document to the form as that schedule.

(2) A separate schedule is required for each item that is incorporated by reference in a form pursuant to subsection (1).

16 Nov 84 cB-10 Reg 1 s6.

Resident Canadian

7 For the purposes of subclause 2(1)(aa)(ii) of the Act, a person is resident in Canada if he:

- (a) is a full-time employee of:
 - (i) the Government of Canada or the government of a province of Canada; or
 - (ii) an agency or Crown corporation of any government described in subclause (i);
- (b) is a full-time employee of a body corporate:
 - (i) of which more than 50% of the voting shares are beneficially owned by resident Canadians or over which control or direction is exercised by resident Canadians;
 - (ii) a majority of whose directors are resident Canadians; or
 - (iii) that is a subsidiary of a body corporate described in subclause (i) or (ii);

where the principal reason for the residence of the employee outside Canada is to act as such an employee;

- (c) is a full-time student at a university or other educational institution recognized by the educational authorities of a majority of the provinces of Canada and has been resident outside Canada for less than 10 consecutive years;
- (d) is a full-time employee of an international association or organization of which Canada is a member;
- (e) was, on his sixtieth birthday, ordinarily resident in Canada and has been resident outside Canada for less than 10 consecutive years.

16 Nov 84 cB-10 Reg 1 s7.

Corporate names

8(1) No name of a corporation incorporated pursuant to the Act is to be comprised entirely of general words, and any general words are to be prefixed by a distinctive word or initials unless the name has become established by a long and continuous prior use.

(2) The Director may consider the name of a corporation as a whole and not only its separate elements in determining whether to approve or not approve the name.

(3) Where a corporation acquires a designated number as its name, that name is to consist of the corporation number assigned to the corporation by the Director, followed by the word "Saskatchewan" and ending with the word "Limited", "Incorporated" or "Corporation" or the French form of any of those words or its French or English abbreviation, as the case may be.

(4) Subject to subsection (3), the Director may refuse incorporation or registration of a corporation whose name contains:

- (a) the word "Canada" or "Saskatchewan" or the name of any province; or
- (b) a word or phrase that is obscene or connotes an undertaking that is scandalous, obscene or immoral.

(5) Subsections (2) to (4) and sections 293 and 294 of the Act do not apply to a Canada corporation.

16 Nov 84 cB-10 Reg 1 s8.

Confusing names

9 A corporate name that is confusing with the name of a body corporate is not to be prohibited by the Director for that reason only where:

- (a) the request for the corporate name relates to a proposed corporation that is the successor to the business of the body corporate, and the body corporate has ceased or will cease to carry on business;

(b) the body corporate undertakes in writing to dissolve or to change its name within six months or any longer period that the Director may approve; and

(c) the corporate name sets out the year of incorporation in numerals and in parentheses immediately before the word "Limited", "Limitee", "Incorporated", "Incorporee" or "Corporation", before the abbreviation of that word or before any other word that the Director may approve.

16 Nov 84 cB-10 Reg 1 s9.

Grant of name not guarantee

10 Where a corporate name appears to be available and is granted or reserved, the Director does not guarantee that the corporate name:

- (a) is not confusingly similar to an existing corporate name, business name or trade mark; or
- (b) is not objectionable for another reason.

16 Nov 84 cB-10 Reg 1 s10.

Confusing and misleading names

10.1(1) In this section:

- (a) **"person"** means a person, whether in existence or not;
 - (b) **"use"** means use by a person in carrying on business in Canada or elsewhere.
- (2) For the purposes of clause 293(a) of the Act, the use of a name that would be likely to confuse or mislead includes:
- (a) the use of a name that would lead to the inference that the business or activities carried on or intended to be carried on by the corporation under the proposed name and the business or activities carried on by another person are one business or one activity, whether or not the nature of the business or activity of each is generally the same;
 - (b) the use of a name that would lead to the inference that the corporation bearing the name or proposed name is or would be associated or affiliated with a person, if the corporation and that person are not or will not be associated or affiliated;
 - (c) the use of a name whose similarity to the name of a person would lead someone who has an interest in dealing with that person to deal with the corporation bearing the name in the mistaken belief that he or she is dealing with the person.

20 Nov 92 SR 123/92 s5.

Considerations respecting names

10.2 In applying sections 293 to 295 of the Act for the purposes of determining whether a name contravenes section 12 of the Act, the Director may consider:

- (a) the distinctiveness of the whole or any element of any name or trade-mark and the extent to which a name or trade-mark has become known;
- (b) the length of time that a name or trade-mark has been used;
- (c) the nature of the goods or services associated with a trade-mark or the nature of the business carried on under or associated with a name, and the likelihood of any competition among businesses using such a trade-mark or name;
- (d) the nature of the trade with which a trade-mark or name is associated, including the nature of its goods or services and the means by which they are offered or distributed;
- (e) the degree of similarity between the name of the corporation and any trade-mark or name in appearance or sound or in the ideas suggested by them;
- (f) the geographic area in Saskatchewan in which the name of the corporation is likely to be used.

20 Nov 92 SR 123/92 s5.

Effect of certain changes in name

10.3(1) Except as provided in subsection (2), the addition or deletion of punctuation marks or other marks does not make a name different.

(2) For the purposes of clause 293(b) of the Act, a name is not identical to another name if:

- (a) words, numerals or initials are added, deleted or substituted; or
- (b) the legal element of the name is varied by substituting one of the other legal elements required by subsection 10(1) of the Act or the corresponding abbreviation.

20 Nov 92 SR 123/92 s5.

Similar distinctive elements permitted

10.4 A name of a corporation that contains a word that is the same as or similar to the distinctive element of a trade-mark or name of another body corporate is not prohibited for that reason alone if:

- (a) the body corporate consents to the use of the name; and
- (b) the name of the corporation contains additional words or expressions to differentiate it from the body corporate and other users of the trade-mark or name.

20 Nov 92 SR 123/92 s5.

Family names in names of corporations

10.5(1) A name of a corporation must not contain a word or expression of which an element is the family name of an individual, whether or not it is preceded by the individual's given name or initials, unless:

- (a) the individual or the individual's heir, executor, administrator, assign or guardian consents in writing to the use of the name; and
- (b) the individual has, had or will have a material interest in the corporation or in the business of the corporation.

(2) Subsection (1) does not apply where the corporation that will use the proposed name is the successor or affiliate of a person other than an individual that has a family name as an element of its name if:

- (a) the person that has the family name as an element of its name consents in writing to the use of the name; and
- (b) if the proposed name would contravene clause 293(a) of the Act, the person that has the family name as an element of its name undertakes in writing:
 - (i) to dissolve immediately; or
 - (ii) to change its name to some other name that complies with clause 293(a) of the Act before the corporation proposing to use the name commences to use it.

20 Nov 92 SR 123/92 s5.

Use of proposed names

10.6 The name of a corporation that is identified in a computer-printed search report as "proposed" must not be used as a name of a corporation by a person other than the person who first proposed the name unless a consent in writing is obtained from the person who first proposed the name.

20 Nov 92 SR 123/92 s5.

Characters in names

10.7(1) The first character of a name of a corporation must be an Arabic numeral or a letter of the Roman alphabet.

(2) A name of a corporation must not consist primarily or only of a combination of punctuation marks or other marks that are permitted pursuant to subsection (3).

(3) The following punctuation marks and other marks are the only marks permitted as part of the name of a corporation:

! " ' \$ % & () * + , - . / : ; = # < > ? [] \ ^ .

(4) The name of a corporation must not exceed 120 characters in length.

(5) The name of a corporation must be set out in block capitals in articles filed with the Director.

20 Nov 92 SR 123/92 s5.

Names in English and French form

10.8(1) Subject to subsection (2), where a name is set out in the articles in both an English and a French form or in a combined English and French form, the French form or the French portion of a combined form must be a direct translation of the English form or the English portion of the name of the corporation.

(2) Changes may be made in the translation of a name if they are necessary to ensure that the translated name is idiomatically correct.

(3) A person who submits any of the documents mentioned in section 10.9 must obtain a separate computer-printed search report for the English form and the French form of a name if:

- (a) the proposed name is in an English form and a French form or in a combined English and French form; and
- (b) the English and French forms of the name are phonetically dissimilar.

20 Nov 92 SR 123/92 s5.

Consents to be submitted

10.9 Where any of the following documents are submitted, they must be accompanied by any consent or consent and undertaking required by the Act or these regulations:

- (a) articles containing a proposed name for a corporation;
- (b) applications for registration;
- (c) articles of amendment containing a proposed amended name for a corporation;
- (d) applications for change of name of a corporation;
- (e) articles of revival;
- (f) applications to restore the name of a corporation to the register.

20 Nov 92 SR 123/92 s5.

Common and preference shares

11(1) No share is to be designated as a common share if it:

- (a) is a redeemable share; or
- (b) does not participate in the remaining property of the corporation on a dissolution.

(2) No share is to be designated as a preference share unless it has at least one preference over shares of another class.

16 Nov 84 cB-10 Reg 1 s11.

Form of proxies and proxy circulars

12(1) A form of proxy required to be sent to the shareholders of a corporation pursuant to subsection 143(1) of the Act is to be in accordance with sections 42.2 to 42.4.

(2) A management proxy circular and a dissident's proxy circular mentioned in subsection 144(1) of the Act are to be in accordance with section 42.1 and Forms 34.1 and 34.2.

6 Mar 2009 SR 17/2009 s3.

Appointment of auditor, election of director

13 A form of proxy is not to confer authority to vote with respect to:

- (a) the appointment of an auditor; or
- (b) the election of a director;

unless a bona fide proposed nominee for the appointment or election, as the case may be, is named in the form of proxy, a management proxy circular, a dissident's proxy circular or a proposal pursuant to section 131 of the Act.

16 Nov 84 cB-10 Reg 1 s13.

Management proxy circular

14 Where a management proxy circular is sent to the Director, it is to be accompanied by a statement signed by a director or officer of the corporation indicating that a copy of the circular has been sent to:

- (a) each director;
- (b) each shareholder entitled to notice of the meeting to which the circular relates; and
- (c) the auditor of the corporation.

16 Nov 84 cB-10 Reg 1 s14.

Auditors and financial reports

15(1) For the purposes of the Act, the prescribed qualification that a person must meet to be an auditor is that:

- (a) the person must be a member in good standing of a recognized accounting profession that is regulated by an Act; or
- (b) the person must be approved by the Director to act as an auditor.

(2) Unless the Act or another provision of these regulations provides otherwise, the financial statements mentioned in section 149 of the Act must be prepared in accordance with generally accepted accounting principles as set out in the *Canadian Institute of Chartered Accountants' Handbook*, as amended from time to time.

(3) Unless the Act or another provision of these regulations provides otherwise, for the purposes of section 163 of the Act, an auditor who is required to make an examination must conduct the examination and prepare the report required by that section in accordance with generally accepted auditing standards as set out in the *Canadian Institute of Chartered Accountants' Handbook*, as amended from time to time.

23 Jne 2006 SR 56/2006 s3.

16 Repealed. 23 Jne 2006 SR 56/2006 s3.

Financial statements, diversified business

17(1) In this section, "**corporation**" means a corporation that carries on a diversified, as distinct from an integrated, business and that sends its financial statements to the Director pursuant to subsection 154(1) of the Act.

(2) The financial statements of a corporation are to disclose separately, or in an attached schedule, a summary of financial information for each class of business the revenue from which is 10% or more of the corporation's total revenues for the period.

(3) The financial statements, or schedule, mentioned in subsection (2) are to contain a note stating that the directors of the corporation have determined its classes of business at a meeting of directors and have recorded them in the minutes of the meeting.

(4) Subject to subsection (5), the classes of business mentioned in subsection (3) are to be designated in accordance with the Statistics Canada Standard Industrial Classification Code.

(5) Where the directors of a corporation do not adopt the Statistics Canada Standard Industrial Classification Code to identify the corporation's classes of business, the financial statements are or a schedule or a note with them is to contain a description of the basis used to determine the corporation's classes of business.

(6) Subsections (1) to (5) do not apply to any corporation that discloses segmented information in accordance with the standards as they exist from time to time of the Canadian Institute of Chartered Accountants set out in the C.I.C.A. Handbook.

16 Nov 84 cB-10 Reg 1 s17.

PART II.1
Electronic Documents

Interpretation and application of Part**17.1(1)** In this Part:

- (a) **“addressee”** means a person to whom information is to be sent pursuant to the Act or these regulations, but does not include the Director;
 - (b) **“designated information system”** means, with respect to an addressee, an information system designated by the addressee pursuant to subclause 17.2(2)(a)(ii);
 - (c) **“electronic”** means created, recorded, transmitted or stored in digital or other intangible form by electronic, magnetic or optical means or by any other similar means;
 - (d) **“information”** includes information that the Act or these regulations require to be included in a notice or document;
 - (e) **“information system”** means a system used to generate, send, receive, store or otherwise process an electronic document;
 - (f) **“originator”** means the person sending an electronic document.
- (2) This Part does not apply to information sent to or issued by the Director pursuant to the Act or these regulations.

23 Jne 2006 SR 56/2006 s4.

No requirement to create or provide electronic documents

17.2(1) No provision of the Act or these regulations is to be construed as requiring a person to create or provide an electronic document.

(2) A requirement in the Act or these regulations to provide information to an addressee is not satisfied by the provision of an electronic document to that addressee unless:

- (a) the addressee:
 - (i) consents in writing; and
 - (ii) designates an information system to receive the information; and
 - (b) the electronic document is provided to the addressee’s designated information system.
- (3) Notwithstanding clause (2)(b), but subject to subsection (4), an electronic document is not required to be provided to the addressee’s designated information system if:
- (a) the originator causes the electronic document to be posted on or made available through a generally accessible electronic source, including a website; and
 - (b) the addressee is provided with notice in writing of the availability and location of the electronic document.

(4) Information that is required by subsection 17.6(2) to be provided to an addressee's designated information system must be provided to that designated information system and not by the means mentioned in subsection (3).

(5) An addressee may revoke the addressee's designation of an information system.

(6) If an addressee wishes to revoke a designation of an information system, the revocation must be in writing.

23 Jne 2006 SR 56/2006 s4.

Information may be provided by electronic documents

17.3 A requirement in the Act or these regulations that information be created or provided is satisfied if:

- (a) the information is created or provided in an electronic document; and
- (b) the bylaws and the articles of the corporation do not prohibit the creation or provision of an electronic document for that information or do not require that the information be provided in a form other than an electronic document.

23 Jne 2006 SR 56/2006 s4.

Requirement for information to be in writing

17.4(1) A requirement in the Act or these regulations that information be in writing is satisfied by the creation of an electronic document containing that information if, in addition to meeting the requirements of section 17.3:

- (a) the electronic document is accessible by the addressee to whom the information is to be sent or communicated so as to be usable for subsequent reference; and
- (b) the other requirements of this Part are met.

(2) A requirement in the Act or these regulations that information be provided in writing to an addressee is satisfied if:

- (a) the information is provided to that addressee in an electronic document;
- (b) the electronic document mentioned in clause (a):
 - (i) is accessible by the addressee; and
 - (ii) is capable of being retained by the addressee so as to be usable for subsequent reference; and
- (c) the other requirements of this Part are met.

23 Jne 2006 SR 56/2006 s4.

Electronic statutory declarations and signatures

17.5(1) In this section, “**electronic signature**” means, with respect to a person, one or more letters, characters, numbers or other symbols in electronic form that the person has created or adopted in order to sign a document and that is incorporated in, attached to or associated with an electronic document.

(2) Except with respect to a statutory declaration or an affidavit, a requirement in the Act and these regulations that a document be executed or a signature be incorporated in, attached to or associated with a document is satisfied with respect to an electronic document if:

- (a) the person signing the execution or providing the signature uses an electronic signature;
- (b) the technology or process used to generate the electronic signature mentioned in clause (a):
 - (i) results in an electronic signature that is unique to the person; and
 - (ii) can be used to identify the person providing the signature; and
- (c) the other requirements of this Part are met.

23 Jne 2006 SR 56/2006 s4.

Providing electronic documents

17.6(1) If information is provided to several addressees, the information must be provided to the addressees concurrently, regardless of the manner of provision.

(2) A requirement in the Act or these regulations that information be sent to a specific place is satisfied if an electronic document containing that information is sent to an information system designated for the receipt of that information.

23 Jne 2006 SR 56/2006 s4.

Providing and receiving electronic documents

17.7(1) For the purposes of this Part, an electronic document is considered to have been provided to an addressee when it leaves an information system that is within the control of:

- (a) the originator; or
- (b) another person who provided the electronic document on behalf of the originator.

(2) For the purposes of this Part, an electronic document is considered to have been received by an addressee:

- (a) when the electronic document enters the addressee’s designated information system; or
- (b) if the electronic document is posted or made available through a generally accessible electronic source mentioned in clause 17.2(3)(a), when notice of the posting or availability is communicated to the addressee in accordance with clause 17.2(3)(b).

23 Jne 2006 SR 56/2006 s4.

Exemption from Part

17.8(1) A corporation that or person who provides or provided or will provide information by way of an electronic document may apply to the Director for an exemption from all or any requirements of this Part with respect to a corporation.

(2) On an application pursuant to this section, the Director may exempt the corporation or the person from all or any requirements of this Part if the corporation or person supplies evidence satisfactory to the Director to establish that no member of the corporation that is the subject of the application has been or will be prejudiced by a decision to grant the requested exemption.

(3) An application for an exemption, and the Director's decision to exempt, pursuant to this section may be made before or after the electronic document is provided.

(4) The Director may impose any conditions on a decision to grant an exemption that the Director considers appropriate.

23 Jne 2006 SR 56/2006 s4.

PART III
Constrained Shares
INTERPRETATION

Interpretation

18 In this Part:

(a) **"Canadian"** means:

(i) a resident Canadian;

(ii) a partnership:

(A) of which a majority of the members are resident Canadians; and

(B) in which interests representing in value more than 50% of the total value of the partnership property are owned by resident Canadians;

(iii) a trust established by a resident Canadian:

(A) a majority of the trustees of which are resident Canadians; or

(B) in which beneficial interests representing in value more than 50% of the total value of the trust property are owned by resident Canadians;

(iv) Her Majesty in right of Canada or of a province or territory of Canada or a municipal corporation, public board or commission in Canada; or

- (v) a body corporate:
 - (A) that is incorporated pursuant to the laws of Canada or a province;
 - (B) of which a majority of the directors are resident Canadians; and
 - (C) over which persons described in subclauses (i) to (iv) or in this subclause exercise control or direction or of which such persons beneficially own shares or securities currently convertible into shares carrying more than 50% of the voting rights under all circumstances or by reason of the occurrence of an event that has occurred and that is continuing, including currently exercisable options or rights to acquire those shares or convertible securities;
- (b) **"constrained class"** means the class of persons specified in the articles of a constrained share corporation as being ineligible to hold, as a class, more than the maximum aggregate holdings;
- (c) **"constrained share corporation"** means a corporation that has provisions in its articles imposing a constraint;
- (d) **"constraint"** means a restriction on:
 - (i) the issue or transfer of shares of any class or series to persons who are not resident Canadians;
 - (ii) the issue or transfer of shares of any class or series to enable a corporation or any of its affiliates or associates to qualify under a law of Canada or a province:
 - (A) to obtain a licence to carry on any business;
 - (B) to become a publisher of a Canadian newspaper or periodical; or
 - (C) to acquire shares of a financial intermediary as defined in section 32;
 - (iii) the issue, transfer or ownership of shares of any class or series in order to assist a corporation or any of its affiliates or associates to qualify under a law of Canada mentioned in subsection 32(2) to receive licenses, permits, grants, payments or other benefits by reason of attaining or maintaining a specified level of Canadian ownership or control;
- (e) **"control"** means control in any manner that results in control in fact, whether directly through the ownership of shares or indirectly through a trust, a contract, the ownership of shares of another body corporate or otherwise;

(f) **“maximum aggregate holdings”** means the total number of voting shares of a constrained share corporation that may be held by or on behalf of persons in the constrained class and their associates in accordance with the articles of the corporation;

(g) **“maximum individual holdings”** means the total number of voting shares of a constrained share corporation that may be held by or on behalf of any one person in the constrained class and his associates in accordance with the articles of the corporation;

(h) **“voting share”** means a share that is subject to a constraint described in subclause (d)(i) or (ii) and that carries voting rights under all circumstances or by reason of the occurrence of an event that has occurred and that is continuing, and includes a security currently convertible into such a share and currently exercisable options and rights to acquire a share or such a convertible security.

16 Nov 84 cB-10 Reg 1 s18.

DISCLOSURE

Disclosure required

19 A constrained share corporation shall indicate conspicuously the general nature of its constrained share provisions in each:

- (a) certificate representing a voting share;
- (b) management proxy circular; and
- (c) prospectus, statement of material facts, registration statement or similar document;

that it issues or publishes.

16 Nov 84 cB-10 Reg 1 s19.

POWERS AND DUTIES OF DIRECTORS

Registration of transfers

20(1) Subject to subsection (2), the directors of a constrained share corporation that has provisions in its articles imposing a constraint described in subclause 18(d)(i) or (ii) shall not register a transfer of a voting share of the corporation in accordance with the articles where:

- (a) the total number of voting shares held by or on behalf of persons in the constrained class exceeds the maximum aggregate holdings and the transfer is to a person in the constrained class;

- (b) the total number of voting shares held by or on behalf of persons in the constrained class does not exceed the maximum aggregate holdings but the transfer would cause the number of those shares held by persons in the constrained class to exceed the maximum aggregate holdings;
 - (c) the total number of voting shares held by or on behalf of a person in the constrained class exceeds the maximum individual holdings and the transfer is to that person; or
 - (d) the total number of voting shares held by or on behalf of a person in the constrained class does not exceed the maximum individual holdings but the transfer would cause the number of those shares held by that person to exceed the maximum individual holdings.
- (2) Where a person establishes that he was the beneficial owner of a voting share of a corporation on the day that the corporation became a constrained share corporation, the directors of the corporation shall register a transfer of the voting share of the corporation to that person.
- (3) The directors of a constrained share corporation described in subsection (1) shall not issue a voting share of the corporation to a person in the constrained class in circumstances where the directors are required to refuse to register a transfer of such a share pursuant to subsection (1).
- (4) For the purposes of subsection (3), the directors may count the voting shares that a corporation is currently offering to its shareholders or prospective shareholders as issued shares.

16 Nov 84 cB-10 Reg 1 s20.

Restraints on issue and registration

21 The directors of a constrained share corporation that has provisions in its articles imposing a constraint defined in subclause 18(d)(iii):

- (a) shall not issue a share of that corporation to a person:
 - (i) whose ownership of the share would be contrary to that constraint;
 - (ii) who, with respect to the issue of the share, has been requested by that corporation to furnish it with information mentioned in subsection 25(7) and has not furnished that information; or
 - (iii) whose ownership of the share the directors have determined, on the basis of information furnished to that corporation by that person pursuant to a request mentioned in clause (b), may be contrary to that constraint; and

(b) shall refuse to register a transfer of a share of that corporation if the transfer is to a person:

- (i) whose ownership of the share is contrary to that constraint;
- (ii) who, with respect to the registration of the share, has been requested by that corporation to furnish it with information mentioned in subsection 25(7) and has not furnished that information; or
- (iii) whose ownership of the share the directors have determined, on the basis of information furnished to such corporation by that person pursuant to a request referred to in subclause (ii), may be contrary to that constraint.

16 Nov 84 cB-10 Reg 1 s21.

LIMITATION ON VOTING RIGHTS

Limitation on voting rights

22 Sections 23 and 24 apply to a constrained share corporation that has provisions in its articles imposing a constraint referred to in subclause (i) or (ii) of the definition "constraint" in section 18.

16 Nov 84 cB-10 Reg 1 s22.

Voting shares of constrained class

23(1) Where, on the day on which a corporation becomes a constrained share corporation, the total number of voting shares of the corporation held by or on behalf of a person in the constrained class exceeds the maximum individual holdings, that person or his nominee may, in person or by proxy, exercise the voting rights attached to the lesser of:

- (a) the number of voting shares that he holds on that day or on any subsequent day; and
- (b) the number of voting shares that constitutes the maximum individual holdings.

(2) After the total number of shares held by or on behalf of the person referred to in subsection (1) is reduced below the maximum individual holdings, he or his nominee may, in person or by proxy, exercise the voting rights attached to the shares that he holds.

16 Nov 84 cB-10 Reg 1 s23.

Prohibition re voting

24(1) Except as provided in subsection 23(1), where the total number of voting shares of a constrained share corporation held by or on behalf of a person in the constrained class exceeds the maximum individual holdings, no person shall, in person or by proxy, exercise the voting rights attached to those shares.

(2) Where it appears from the share register of a constrained share corporation that the total number of voting shares held by a shareholder is less than the maximum individual holdings, a proxyholder for that shareholder may vote those shares unless the proxyholder has knowledge that the shares beneficially owned by the shareholder exceed the maximum individual holdings.

(3) Where, after the day on which a corporation becomes a constrained share corporation, a corporation or trust that was not a person in the constrained class becomes a person in the constrained class, that corporation or trust shall not exercise the voting rights attached to any shares it holds in the constrained share corporation while it is a person in the constrained class.

16 Nov 84 cB-10 Reg 1 s24.

SALE OF CONSTRAINED SHARES**Sale of constrained shares**

25(1) For the purposes of subsection 43.1(1) of the Act, before:

- (a) a constrained share corporation concludes that shares of the corporation are owned contrary to a constraint described in subclause 18(d)(iii); or
- (b) the directors of the corporation determine that shares of the corporation may be owned contrary to a constraint described in subclause 18(1)(d)(iii);

the corporation shall send a written notice in accordance with subsection (5) by registered mail to the person shown in the securities register of the corporation as the holder of the shares.

(2) For the purposes of subsection 43.1(1) of the Act, in determining that shares of a constrained share corporation may be owned contrary to a constraint described in subclause 18(d)(iii) the directors of the corporation shall:

- (a) ascertain whether or not the corporation has received a reply to a request for information mentioned in subsection (7) respecting the shares and consider the reply, if any, to the request; and
- (b) examine and consider any other records of the corporation containing information that would indicate whether those shares are owned contrary to the constraint.

(3) For the purposes of subsection 43.1(1) of the Act, where a constrained share corporation has sent a notice mentioned in subsection (1) to a person shown in the securities register *of the corporation as the holder of shares* and:

(a) the corporation has concluded that shares in respect of which the notice was sent are owned contrary to a constraint described in subclause 18(d)(iii); or

(b) the directors of the corporation have determined in accordance with subsection (2) that shares with respect to which the notice was sent may be owned contrary to that constraint;

and the corporation intends to sell all or some of the shares pursuant to subsection 43.1(1) of the Act, the corporation shall, not less than 90 days but not more than 150 days after the sending of the notice, send to that person by registered mail a further written notice in accordance with subsection (6) respecting the shares that the corporation intends to sell.

(4) Where a corporation sends a notice pursuant to subsection (1) or (3), the corporation shall, at the time the notice is sent, enter or cause to be entered in the securities register of the corporation the particulars of the notice including the date on which it was sent.

(5) The notice mentioned in subsection (1) is to contain:

(a) the name and address of the holder of the shares as shown in the securities register of the corporation;

(b) a statement identifying the certificate representing the shares by certificate number or otherwise;

(c) a statement indicating that all or some of the shares may be sold by the corporation pursuant to subsection 43.1(1) of the Act if:

(i) the shares are owned; or

(ii) the directors of the corporation determine in accordance with subsection (2) that the shares may be owned;

contrary to a constraint described in subclause 18(d)(iii);

(d) a statement indicating that the corporation may conclude that all or some of the shares are owned contrary to a constraint described in subclause 18(d)(iii);

(e) a statement indicating that the directors of the corporation may determine in accordance with subsection (2) that all or some of the shares may be owned contrary to a constraint described in subclause 18(d)(iii) and that for the purpose of making such determination the directors of the corporation will:

(i) consider the reply, if any, to a request for information mentioned in subsection (7) respecting the shares; and

(ii) examine and consider any other records of the corporation containing information that would indicate whether such shares are owned contrary to such constraint;

- (f) a statement indicating that no share with respect to which the notice is sent may be sold pursuant to subsection 43.1(1) of the Act if a transfer of the share is registered in the securities register of the corporation after the notice was sent unless the corporation again complies with the requirements set out in sections 25 to 29 respecting the sale of that share;
 - (g) a statement indicating that no share with respect to which the notice is sent may be sold pursuant to subsection 43.1(1) of the Act unless not less than 60 days but not more than 150 days have elapsed from the day on which a notice mentioned in subsection (3) is sent to the holder of the share;
 - (h) a statement indicating the earliest date and the latest date on which the corporation may sell the shares, having regard to the requirements set out in section 27;
 - (i) a statement indicating that the shares may be sold:
 - (i) on any stock exchange where shares of the corporation are listed and posted for trading; or
 - (ii) where shares of the corporation are not listed and posted for trading on any stock exchange, in any other manner that the directors of the corporation determine to be appropriate;
 - (j) a statement indicating that, if not all the shares of the holder represented by a certificate are sold pursuant to subsection 43.1(1) of the Act, a certificate representing the shares that are not sold will be issued on surrender for cancellation of the certificate representing the shares sold; and
 - (k) a statement indicating that, immediately on the sale of the shares pursuant to subsection 43.1(1) of the Act, the corporation will:
 - (i) register the transfer or a notice of the sale of the shares or cause the transfer or a notice of the sale of the shares to be registered in the securities register of the corporation; and
 - (ii) send a notice of the sale in accordance with clause 28(1)(b) to the person shown in the securities register of the corporation as the holder of the shares at the time of sale.
- (6) The notice mentioned in subsection (3) is to contain:
- (a) the name and address of the holder of the shares as shown in the securities register of the corporation;
 - (b) a statement identifying the certificate representing the shares by certificate number or otherwise;
 - (c) a statement indicating that all or some of the shares may be sold by the corporation pursuant to subsection 43.1(1) of the Act if:
 - (i) the shares are owned; or
 - (ii) the directors of the corporation determine in accordance with subsection (2) that the shares may be owned;
- contrary to a constraint described in subclause 18(d)(iii);

- (d) a statement indicating:
 - (i) that the corporation has concluded that the shares are owned, or that the directors of the corporation have determined in accordance with subsection (2) that the shares may be owned, contrary to a constraint described in subclause 18(d)(iii); and
 - (ii) the reason why the corporation so concluded or the directors so determined, as the case may be;
- (e) a statement indicating that the corporation intends to sell all or a specified number of the shares pursuant to subsection 43.1(1) of the Act;
- (f) a statement indicating that if, before the sale:
 - (i) the corporation changes its conclusion that the shares are owned, or the directors of the corporation change their determination made in accordance with subsection (2) that the shares may be owned, contrary to a constraint described in subclause 18(d)(iii); or
 - (ii) there is a change in the reason for the conclusion or determination;the corporation will send a notice in accordance with subsection 26(1) to the person shown in the securities register of the corporation as the holder of the shares;
- (g) a statement advising that, unless the person shown in the securities register of the corporation as the holder of the shares receives a notice mentioned in clause (f), the person and all other interested persons should not assume:
 - (i) that the corporation has changed its conclusion that the shares are owned, or the directors of the corporation have changed their determination made in accordance with subsection (2) that the shares may be owned, contrary to a constraint described in subclause 18(d)(iii);
 - (ii) that there has been a change in the reason for the conclusion or determination; or
 - (iii) that the corporation no longer intends to sell the shares pursuant to subsection 43.1(1) of the Act;
- (h) a statement indicating that no share with respect to which the notice is sent may be sold pursuant to subsection 43.1(1) of the Act if a transfer of the share is registered in the securities register of the corporation after the notice mentioned in subsection (1) was sent unless the corporation again complies with the requirements set out in sections 25 to 29 respecting the sale of the share;
- (i) a statement indicating that no share with respect to which the notice is sent may be sold pursuant to subsection 43.1(1) of the Act unless not less than 60 days but not more than 150 days have elapsed from the day on which the notice was sent to the holder of the share; and
- (j) a statement indicating each of the matters mentioned in clauses (5)(h) to (k).

(7) The notice mentioned in subsection (1) is to be accompanied by a request for that information, including a request for the completion of those forms, that would indicate whether the shares are owned contrary to a constraint described in subclause 18(d)(iii).

(8) The notice mentioned in subsection (3) is to be accompanied by a request for information described in subsection (7) unless the corporation has received the requested information before the notice is sent.

(9) A request for information mentioned in subsection (7) is to be accompanied by:

- (a) instructions for:
 - (i) the furnishing of the information; and
 - (ii) the completion of the forms mentioned in that subsection; and
- (b) a sufficient number of copies of the forms.

16 Nov 84 cB-10 Reg 1 s25.

Change in conclusion

26(1) Where a constrained share corporation that has provisions in its articles imposing a constraint described in subclause 18(d)(iii):

- (a) has sent a notice pursuant to subsection 25(3) to a person shown in the securities register of the corporation as the holder of shares; and
- (b) has not sold, pursuant to subsection 43.1(1) of the Act, a share with respect to which the notice was sent;

and the corporation changes its conclusion that the share is owned, or the directors of the corporation change their determination made in accordance with subsection 25(2) that the share may be owned, contrary to the constraint or there is a change in the reason for the conclusion or determination, the corporation shall immediately send by registered mail to that person:

- (c) a notice of the change of conclusion or determination including the reason therefore; or
- (d) a notice of the change in the reason for the conclusion or determination;

as the case may be.

(2) Where a corporation sends a notice pursuant to subsection (1), the corporation shall, at the time the notice is sent, enter or cause to be entered in the securities register of the corporation the particulars of that notice including the date on which it was sent.

16 Nov 84 cB-10 Reg 1 s26.

Requirements of selling

27(1) No constrained share corporation shall sell a share pursuant to subsection 43.1(1) of the Act unless:

- (a) the corporation has sent the notices referred to in subsections 25(1) and (3) to the person shown in the securities register of the corporation as the holder of the share;
 - (b) not less than 150 days but not more than 300 days have elapsed from the day on which the notice mentioned in subsection 25(1) was sent to the holder of the share;
 - (c) not less than 60 days but not more than 150 days have elapsed from the day on which the notice referred to in subsection 25(3) was sent to the holder of the share;
 - (d) the corporation has concluded that the share is owned, or the directors of the corporation have determined in accordance with subsection 25(2) that the share may be owned, contrary to a constraint described in subclause 18(d)(iii) and, at the time of sale, the corporation has no reasonable grounds on which to change its conclusion or the directors of the corporation have no reasonable grounds on which to change their determination, as the case may be;
 - (e) the sale takes place:
 - (i) on any stock exchange where shares of the corporation are listed and posted for trading; or
 - (ii) where shares of the corporation are not listed and posted for trading on any stock exchange, in any other manner that the directors of the corporation determine to be appropriate; and
 - (f) the corporation sells the share with a view to obtaining the best sale price available in the circumstances at the time of sale.
- (2) No constrained share corporation shall, pursuant to subsection 43.1(1) of the Act, sell a share with respect to which a notice is sent in accordance with subsection 25(1) if a transfer of the share is registered in the securities register of the corporation after the notice was sent unless the corporation again complies with the requirements set out in sections 25 to 29 respecting the sale of the share.

16 Nov 84 cB-10 Reg 1 s27.

Registration and notice of sale

28(1) Immediately after a sale of shares by a constrained share corporation pursuant to subsection 43.1(1) of the Act, the corporation shall:

- (a) register the transfer or a notice of the sale of the shares or cause the transfer or a notice of the sale of the shares to be registered in the securities register of the corporation; and
- (b) send a notice of the sale to the person shown in the securities register of the corporation as the holder of the shares at the time of the sale.

- (2) The notice referred to in clause (1)(b) shall:
- (a) state the number of shares sold;
 - (b) identify the certificate representing the shares sold, by certificate number or otherwise;
 - (c) state the date and manner of sale;
 - (d) state the manner in which the person entitled to receive the net proceeds of the sale pursuant to subsection 43.1(3) of the Act may obtain the proceeds;
 - (e) state that the corporation has concluded that the shares were owned, or that the directors have determined in accordance with subsection 25(2) that the shares may be owned, contrary to a constraint described in sub-clause 18(d)(iii) and state the reason why the corporation so concluded or the directors so determined, as the case may be; and
 - (f) if not all of the shares of the holder represented by a certificate were sold, contain a statement that:
 - (i) not all of those shares were sold; and
 - (ii) a certificate representing the shares that were not sold will be issued on surrender for cancellation of the certificate representing the shares sold.

16 Nov 84 cB-10 Reg 1 s28.

Interest on sale proceeds

29 For the purposes of subsection 43.2(1) of the Act, the proceeds of a sale by a constrained share corporation pursuant to subsection 43.1(1) of the Act are required to be:

- (a) deposited in an interest bearing account with a bank in Canada to which the *Bank Act* (Canada) applies, a credit union as defined in *The Credit Union Act* or a trust corporation licensed pursuant to *The Trust and Loan Corporations Act*; or
- (b) invested in any investment authorized pursuant to subsection 63(1) of the *Canadian and British Insurance Companies Act* (Canada).

16 Nov 84 cB-10 Reg 1 s29.

DISCLOSURE OF BENEFICIAL OWNERSHIP

Disclosure of beneficial owner

30(1) This section applies to a constrained share corporation that has provisions in its articles imposing a constraint described in subclause 18(d)(iii).

(2) Subject to section 98 of the Act, the directors of a constrained share corporation may make, amend or repeal any bylaws required to administer the constrained share provisions set out in the articles of the corporation, including bylaws:

(a) to require any person in whose name shares of the corporation are registered to furnish a statutory declaration declaring whether:

(i) the shareholder is the beneficial owner of the shares of the corporation or holds them for a beneficial owner;

(ii) the shareholder is an associate of any other shareholder; and

(iii) the shareholder or beneficial owner is not a member of a constrained class;

and declaring any other information that the directors consider relevant;

(b) to require any person seeking to have a transfer of a voting share registered in his name or to have a voting share issued to him to furnish a declaration similar to the declaration that a shareholder may be required to furnish pursuant to clause (a); and

(c) to determine the circumstances in which any declarations are required, their form and the times when they are to be furnished.

(3) Where a person is required to furnish a declaration pursuant to a bylaw made pursuant to subsection (1), the directors may refuse to register a transfer of a voting share in his name or to issue a voting share to him until he has furnished the declaration.

16 Nov 84 cB-10 Reg 1 s30.

Administration by directors

31(1) In administering the constrained share provisions set out in the articles of a constrained share corporation, the directors of the corporation may rely on:

(a) a statement made in a declaration mentioned in subsection 30(1); and

(b) the knowledge of a director, officer, employee or agent of the corporation.

(2) Where the directors of a constrained share corporation are required to determine the total number of voting shares of the corporation held by or on behalf of persons in a constrained class, the directors may rely on the share register of the constrained share corporation as of any day after the date on which the corporation becomes a constrained share corporation but that date is not to be more than four months before the day on which the determination is made.

16 Nov 84 cB-10 Reg 1 s31.

Interpretation

32(1) For the purpose of subclause 168(1)(e)(iii) of the Act, “**financial intermediary**” means a bank, loan corporation, insurance corporation or trust corporation or a body corporate carrying on business as a securities broker, dealer or underwriter.

(2) For the purposes of subsections 31.1(1), 43.1(1) and 45(8.2) and paragraph 168(1)(f) of the Act, the following laws of Canada are prescribed:

(a) the *Canada Oil and Gas Act* (Canada) and any regulations made pursuant to that Act; and

(b) the *Petroleum Incentives Programs Act* (Canada) and any regulations made pursuant to that Act.

16 Nov 84 cB-10 Reg 1 s32.

PART IV
Exemptions

Application of sections 33 to 39

33 Sections 33 to 39 apply to every application for an exemption pursuant to sections 145 and 150 and subsections 154(3), 157(4) and 165(2) of the Act.

16 Nov 84 cB-10 Reg 1 s33.

Application for exemption

34(1) An application for an exemption pursuant:

(a) section 145 of the Act is to be made before the date of the notice mentioned to in subsection 143(1) of the Act;

(b) section 150 or subsection 154(3) of the Act is to be made at least 60 days before the documents with respect to which the exemption is requested are to be sent to the Director;

(c) subsection 157(4) or 165(2) of the Act may be made at any time.

(2) Notwithstanding subsection (1), the Director may, on any conditions that he considers reasonable, extend the time for making an application for an exemption.

16 Nov 84 cB-10 Reg 1 s34.

Time for response

35 The Director shall, within 30 days after receipt of an application for an exemption:

(a) grant the exemption requested; or

(b) send to the applicant written notice of his refusal together with reasons for the refusal.

16 Nov 84 cB-10 Reg 1 s35.

Further information

36 The Director may request that an applicant for an exemption or any other person furnish him in writing with any information that the Director considers relevant to an application.

16 Nov 84 cB-10 Reg 1 s36.

Applicant to receive copy

37 The Director shall:

- (a) furnish the applicant for an exemption with a copy of any information received from any other person pursuant to section 36; and
- (b) allow the applicant a reasonable opportunity to respond in writing.

16 Nov 84 cB-10 Reg 1 s37.

No information provided

38 Where an applicant for an exemption or a person from whom the Director has requested information pursuant to section 36 does not provide the information within a time specified by the Director, the Director may deal with the application without regard to the information.

16 Nov 84 cB-10 Reg 1 s38.

Where Director out of time

39 Where the Director does not grant an exemption or send written notice of his refusal within the time specified in section 35, the applicant may exercise his rights pursuant to section 239 of the Act as if the Director had refused the exemption.

16 Nov 84 cB-10 Reg 1 s39.

PART V

Other

Annual returns

40(1) In this section:

- (a) **"anniversary month"** means the month in each year that is the same as:
 - (i) in the case of a corporation incorporated pursuant to the Act, the month in which its certificate of incorporation was issued;
 - (ii) in the case of a corporation continued pursuant to the Act, the month in which it was incorporated;
 - (iii) in the case of an amalgamated corporation, the month in which its certificate of amalgamation was issued;
 - (iv) in the case of an extra-provincial corporation, the month in which it was incorporated or amalgamated;
- (b) **"due date"** means the last day of the month following the anniversary month.

(2) The annual return mentioned in section 273 of the Act is to be sent to the Director showing the information required on or before the due date, except:

- (a) in the year of incorporation; or
 - (b) in the case of an extra-provincial corporation, in the year of its registration pursuant to the Act.
- (3) The fee that is to accompany the annual return sent to the Director:
- (a) if the annual return is received or postmarked on or before the due date, is \$50;
 - (b) if the annual return is received or postmarked after the due date, is \$80;
 - (c) if the annual return is filed in electronic form and is received on or before the due date, is \$40.

16 Nov 84 cB-10 Reg 1 s40; 28 Aug 87 SR 94/87
s3; 10 Sept 2004 SR 77/2004 s3.

Fees

41(1) Subject to subsection (2), the fee payable pursuant to the Act:

- (a) for a certificate of incorporation is \$200 if the articles of incorporation are filed in electronic form, and in any other case is \$250;
- (b) for a certificate of registration of an extra-provincial corporation is \$250;
- (c) for restoring the name of a corporation to the register, in lieu of any fee payable pursuant to subsection 40(3), is \$250;
- (d) for a certificate of revival, in lieu of any fee payable pursuant to subsection 40(3) or clause (c), is \$250;
- (e) for a certificate of revocation of intent to dissolve is \$25;
- (f) for a certificate of amendment of articles is \$100;
- (g) for a certificate of restated articles of incorporation is \$25;
- (h) for a certificate of amalgamation with respect to two or more corporations is \$250;
- (i) for a certificate of continuance pursuant to subsection 181(4) of the Act is \$250;
- (j) for a certificate of discontinuance is \$250;
- (k) for filing an amended annual return is \$10;
- (l) for an exemption pursuant to section 145, 154, 157 or 165 of the Act is \$25;
- (m) for an exemption pursuant to section 150 of the Act is \$100;

(n) for a name search in conjunction with a request to reserve a name pursuant to section 292 of the Act:

(i) is \$50 if the name search includes:

(A) names registered in Saskatchewan; and

(B) names registered pursuant to the *Canada Business Corporations Act* and the *Trade-marks Act* (Canada);

(ii) is \$60 if the name search includes:

(A) names registered in Saskatchewan;

(B) names registered in other provinces and territories; and

(C) names registered pursuant to the *Canada Business Corporations Act* and the *Trade-marks Act* (Canada);

(n.1) for a certificate of alternate name is \$50;

(n.2) to accompany articles of arrangement required to be sent to the Director pursuant to section 186.1 of the Act:

(i) is \$250 if the arrangement effects an amalgamation with one or more other corporations; and

(ii) is \$100 in any other case;

(o) to accompany an amendment to the articles of an extra-provincial corporation required to be sent to the Director pursuant to section 271 of the Act is:

(i) if the amendment effects an amalgamation with one or more other corporations, \$250;

(ii) in any case other than one described in subclause (i), \$100;

(p) for each duplicate microfiche is \$5;

(q) for each computer printout of information requested from the Director is \$10;

(r) for copies of documents is \$1 per page;

(s) ~~Repealed.~~ 20 Oct 2000 SR 76/2000 s3.

(t) for a certification of one or more documents mentioned in clause (r) is \$30;

(u) for each search of a paper file not on microfiche is \$5;

(v) for any certificate, other than a certificate of dissolution, or any certification for which no fee is otherwise provided, is \$15;

(w) for re-examining articles of incorporation, articles of revival, articles of amalgamation, articles of continuance, articles of reorganization or articles of arrangement is \$75;

- (x) for re-examining articles of amendment is \$20;
 - (y) for re-examining an application for registration of an extra-provincial corporation or an application to restore the name of a corporation to the register is \$75;
 - (z) subject to subsection (7), for a report containing names of corporations by location, by type of activity or by both, \$200 plus \$0.50 for each corporation in excess of 100 corporations;
 - (aa) for verbally providing information from the corporate register respecting a corporation in response to a telephone request is \$8;
 - (bb) for each enquiry of the corporate register using computerized remote access:
 - (i) is \$2 for a search for a name; and
 - (ii) is \$3 for a profile report;
 - (cc) for sending documents by electronic transmission is \$5.
- (2) Where a person requests that a service mentioned in subsection (1) be performed in less than the number of days that would usually be required to perform the service, the Director may, in his discretion, charge an additional fee:
- (a) in the case of a service that is one of the services mentioned in clauses (1)(a) to (o), of \$100; and
 - (b) in the case of a service that is one of the services mentioned in clauses (1)(p) to (v), of \$25.
- (3) Where a corporation incorporated or continued pursuant to the Act is continued pursuant to the laws of another jurisdiction:
- (a) the corporation is deemed to be registered as an extra-provincial corporation for a period of 60 days from the date of its continuance pursuant to the laws of that other jurisdiction; and
 - (b) unless the corporation submits to the Director a completed power of attorney in Form 24 with a fee of \$50, the Director shall, on the expiration of the 60-day period mentioned in clause (a), strike the name of the corporation from the register.
- (4) The Director may accept payment of the fee prescribed pursuant to clause 40(3)(a) in lieu of the fee prescribed pursuant to clause 40(3)(b) where, in his opinion, special circumstances so warrant.
- (5) The Director may waive any fee payable pursuant to clauses (1)(p) to (t) including any additional fee payable for those services pursuant to subsection (2).
- (6) Where a fee is paid with respect to an application for exemption and the application is rejected, withdrawn or abandoned, no part of the fee is refundable.

(7) Only one fee pursuant to clause (1)(z) or a comparable provision of *The Business Names Registration Regulations*, *The Co-operatives Regulations, 1989*, *The Credit Union Regulations*, *The Names of Homes Regulations* or *Saskatchewan Regulations 260/79* made pursuant to *The Non-profit Corporations Act* shall be charged where a report is prepared that includes names registered pursuant to *The Business Names Registration Act*, *The Co-operatives Act, 1989*, *The Credit Union Act, 1985*, *The Names of Homes Act* or *The Non-profit Corporations Act* in addition to names registered pursuant to the Act.

16 Nov 84 cB-10 Reg 1 s41; 28 Aug 87 SR 94/87 s4; 20 Nov 92 SR 123/92 s8; 26 Mar 93 SR 22/93 s2; 25 June 93 SR 39/93 s2; 7 Apr 95 SR 26/95 s2; 20 Oct 2000 SR 76/2000 s3; 10 Sept 2004 SR 77/2004 s4; 22 Jly 2005 SR 71/2005 s2.

Maximum fee for security certificate

41.1 The maximum fee that a corporation may charge pursuant to subsection 45(2) of the Act for a security certificate with respect to a transfer is \$10.

20 Nov 92 SR 123/92 s9.

Interpretation

42 For the purposes of section 243 of the Act:

- (a) “**loan company**” means a loan corporation as defined in *The Trust and Loan Corporations Act*;
- (b) “**trust company**” means a trust corporation as defined in *The Trust and Loan Corporations Act*.

16 Nov 84 cB-10 Reg 1 s42.

Proxy circular

42.1(1) Repealed. 6 Mar 2009 SR 17/2009 s4.

- (2) A proxy circular sent pursuant to subsection 144(1) of the Act must contain the information set out in Forms 34.1 and 34.2.
- (3) The information required by Forms 34.1 and 34.2 must be given as of a specified date not more than 30 days before the date on which the proxy circular is first sent to any of the shareholders of the corporation.
- (4) The information contained in a proxy circular must be clearly presented.
- (5) The statements made in a proxy circular must be divided into groups according to subject matter and the various groups of statements must be preceded by appropriate headings.
- (6) The order of items set out in Forms 34.1 and 34.2 is not required to be followed.
- (7) If practicable and appropriate, information required by Form 34.1 or 34.2 must be presented in tabular form.

- (8) All amounts required to be stated by Form 34.1 or 34.2 must be stated in figures.
- (9) Information required by more than one applicable item in Form 34.1 or 34.2 is not required to be repeated.
- (10) No statement is required to be made in response to any item in Form 34.1 or 34.2 that is inapplicable and negative answers to any item may be omitted.
- (11) Information in a proxy circular may be omitted if:
 - (a) the information is:
 - (i) not known to the person on whose behalf the solicitation is to be made; and
 - (ii) not reasonably within the power of the person to ascertain or procure; and
 - (b) a brief statement is made in the proxy circular of the circumstances rendering the information unavailable.
- (12) Information in a proxy circular may be omitted if:
 - (a) the information is contained in any of the following that is sent to the persons whose proxies were solicited in connection with the same meeting:
 - (i) another proxy circular;
 - (ii) a notice of meeting; or
 - (iii) a form of proxy; and
 - (b) a reference is made in the proxy circular to the particular document containing the information.

23 Jne 2006 SR 56/2006 s5; 6 Mar 2009 SR 17/
2009 s4.

Proxy

- 42.2(1)** Every form of proxy sent or delivered to a shareholder of a corporation by a person soliciting proxies pursuant to section 143 of the Act must:
- (a) indicate in boldface type that the proxy is solicited by or on behalf of:
 - (i) the management of the corporation; or
 - (ii) a person who is not part of the management of the corporation, in which case the name of the person must also be disclosed; and
 - (b) provide a specifically designated blank space for dating the form of proxy.

- (2) A form of proxy must:
- (a) indicate in bold-face type that the shareholder has the right to appoint a person, other than the person, if any, designated in the form of proxy, to represent the shareholder at the meeting; and
 - (b) contain instructions as to the manner in which the shareholder may exercise the right described in clause (a).
- (3) If a form of proxy contains a designation of a named person as nominee, it must provide a means whereby the shareholder may designate in the form of proxy some other person as the shareholder's nominee.
- (4) Every form of proxy must provide a means for the shareholder to specify that the securities registered in the shareholder's name shall be voted for or against each matter or group of related matters, other than the appointment of an auditor and the election of directors, identified in:
- (a) the form of proxy;
 - (b) the notice of meeting; or
 - (c) a proxy circular.
- (5) A proxy may confer discretionary authority with respect to each matter mentioned in subsection (4) as to which a choice is not so specified if the form of proxy or the proxy circular states in bold-face type how the securities represented by the proxy will be voted with respect to each matter or group of related matters.
- (6) A proxy shall provide a means for the shareholder to specify that the securities registered in the name of the shareholder shall be voted or withheld from voting with respect to the appointment of an auditor or the election of directors.
- (7) A proxy or a proxy circular shall state that:
- (a) the securities represented by the proxy will be voted or withheld from voting, on any ballot that may be called for, in accordance with the instructions of the shareholder; and
 - (b) if the shareholder specifies a choice pursuant to subsection (4) or (6) with respect to any matter to be acted on, the securities shall be voted accordingly.

23 Jne 2006 SR 56/2006 s5; 6 Mar 2009 SR 17/
2009 s5.

When discretionary authority may be exercised

42.3 A proxy may confer discretionary authority with respect to amendments or variations to matters identified in the notice of meeting and other matters that may properly come before the meeting if:

- (a) the person by whom or on whose behalf the solicitation is made is not aware within a reasonable time before the time the solicitation is made that any amendments, variations or other matters are to be presented for action at the meeting; and
- (b) a specific statement is made in the proxy circular or in the form of proxy that the proxy is conferring that discretionary authority.

6 Mar 2009 SR 17/2009 s6.

Restrictions on authority to vote

42.4 No proxy shall confer authority to vote:

- (a) for the election of any person as a director of a corporation unless a bona fide proposed nominee for that election is named in the proxy circular; or
- (b) at any meeting other than the meeting specified in the notice of meeting or any adjournment of that meeting.

6 Mar 2009 SR 17/2009 s6.

SR 234/77 repealed

43 Saskatchewan Regulations 234/77 are repealed.

16 Nov 84 cB-10 Reg 1 s43.

Appendix**FORM 1****Articles of Incorporation***The Business Corporations Act*

1. **Name of corporation** (print or type the name of your corporation):

2. **The classes and any maximum number of shares that the corporation is authorized to issue.** (If there is to be more than one class of shares indicate all rights attached to each class OR attach a separate sheet indicating the rights attached to each class):

3. **Restrictions, if any, on share transfers:**

4. **Authorized number of directors** (minimum and maximum or fixed):

5. **Restrictions, if any, on businesses the corporation may carry on or on powers the corporation may exercise:**

6. **Other provisions, if any:**

Incorporator (must be completed in full):

Name: _____	
Address: _____	
Date: _____	Signature: _____

29 Oct 99 SR 72/1999 s4.

FORM 2**Certificate of Incorporation**

Repealed. 29 Oct. 99 SR 72/1999 s5.



Notice of Change of Registered Office
The Business Corporations Act

Form 3

Name of corporation:

Entity no. :

1 Location of registered office

- This is where the books of the corporation are held.
- This must not be a box number.
- This may be a legal land description (including R.M. name and number).
- This must be located in Saskatchewan.

Street address (or legal land description, including R.M. name and number)

Saskatchewan

Name of City/Town/Village

Postal Code

2 Mailing address of registered office, including postal code

(If the mailing address is the same as the Registered Office, check the box, otherwise, indicate the mailing address). A box number is acceptable as a mailing address.

☐

Same as above

OR

Street address or Post Office box number

Name of City/Town/Village

Province

Postal Code

Attention:

Phone (optional):

3 Effective date of change:

I, _____, being _____ of the
 (Please print full name) (Director/Solicitor and Agent/Authorized Officer)

corporation, certify that the above information is correct and that I have the authority to request this change be filed pursuant to *The Business Corporations Act*.

Date:

Signature:

FORM 3.1
Initial Notice of Registered Office
The Business Corporations Act

1.	Location of registered office <ul style="list-style-type: none">• This is where the books of the corporation are held.• Must not be a box number.• May be a legal land description (including R.M. name and number).• Must be located in Saskatchewan.
<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Street Address (or legal land description, including R.M. name and number) <div style="display: flex; justify-content: space-between; margin-top: 10px;"><div style="border-bottom: 1px solid black; width: 40%;"></div><div style="border-bottom: 1px solid black; width: 20%; text-align: center;">Saskatchewan</div><div style="border-bottom: 1px solid black; width: 40%;"></div></div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"><div style="width: 40%;">Name of City/Town/Village</div><div style="width: 20%;"></div><div style="width: 40%;">Postal Code</div></div>	
2.	Mailing address of registered office, including postal code (If the mailing address is the same as the Registered Office, check the box, otherwise, indicate the mailing address). A box number is acceptable as a mailing address. <div style="margin-top: 10px;"><input type="checkbox"/> Same as above OR</div>
<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Street Address (or legal land description, including R.M. name and number) <div style="display: flex; justify-content: space-between; margin-top: 10px;"><div style="border-bottom: 1px solid black; width: 40%;"></div><div style="border-bottom: 1px solid black; width: 20%; text-align: center;">Province</div><div style="border-bottom: 1px solid black; width: 40%;"></div></div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"><div style="width: 40%;">Name of City/Town/Village</div><div style="width: 20%;"></div><div style="width: 40%;">Postal Code</div></div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"><div style="width: 40%;">Attention: </div><div style="width: 20%;"></div><div style="width: 40%;">Phone (optional): </div></div>	

FORM 4
Articles of Amendment
The Business Corporations Act

1. Name of corporation:	Entity No.:
-------------------------	-------------

2. The articles of the corporation are amended as follows:

- ☐ Change the name to:
- ☐ Other:

3. Each amendment has been duly authorized pursuant to the requirements of the Act.

<p>I, _____, being _____ of the (Type or print name) (Director/Solicitor and Agent/Authorized Officer)</p> <p>corporation, certify that the Articles of Amendment and any attachments are correct and that I have the authority to request these Articles be filed pursuant to <i>The Business Corporations Act</i>.</p> <p>Date: _____ Signature: _____</p>

INSTRUCTIONS:

- If filing a change of name, where the new name has not been reserved, a Request for Name Search and Reservation must be attached to the Articles of Amendment.
- Any change to the Articles of the corporation must be made in accordance with the appropriate section of the Act. Each amendment must correspond to the appropriate provision of the Articles being amended, e.g. item, section, subsection, clause, etc.

29 Oct 99 SR 72/1999 s7.

FORM 5
Certificate of Amendment
Repealed. 29 Oct. 99 SR 72/1999 s8.

FORM 5.1
Certificate of Amendment
(Extra-Provincial Corporation)
Repealed. 29 Oct. 99 SR 72/1999 s9.



Saskatchewan
Justice
Corporations
Branch

Notice of Change of Directors
The Business Corporations Act

Form 6

Please see reverse for instructions

1	Name of corporation:	Entity no.
----------	-----------------------------	-------------------

2 On the _____ day of _____, 20____, the following persons **ceased to be** directors of the corporation:

Full Name	Address	Office held (if any)	Resident Canadian (yes or no)

3 On the _____ day of _____, 20____, the following persons **became** directors of the corporation:

Full Name	Address	Office held (if any)	Resident Canadian (yes or no)

4 The directors of the corporation are *(all current directors)*:

Full Name	Address	Office held (if any)	Resident Canadian (yes or no)

5 I, _____ being _____ of the
(Please print full name) *(Director, Solicitor and Agent, Authorized Officer)*
 corporation, certify that the above information is correct and that I have the authority to request this change be filed
 pursuant to *The Business Corporations Act*.

Date: _____ Signature: _____

Notice of Change of Directors
Form 6
Instructions for Completion

- Item 1:** Type or print the name of the corporation and the entity number.
- Item 2:** Type or print the names and addresses of those persons who are no longer directors of the corporation. Be sure to include the date they ceased to be directors.
- Item 3:** Type or print the names and addresses of those persons who became directors of the corporation. Be sure to include the date they became directors.
- Item 4:** List everyone who is now a director. Type or print the full first and last name of each director, his or her address, the office held (if any) and whether or not he or she is a resident Canadian.
- Item 5:** Type or print your name, the office you hold (director—solicitor/agent), the date and your signature.

***Please Note:**

- § If a director lives in a city, the resident address **MUST** be indicated.
(Box numbers are NOT acceptable in a city)
- § If residence is in a rural area, use a legal land description, including R.M. name and number.
- § At least one director must be a resident of Saskatchewan. If there is no resident Saskatchewan director, then a Power of Attorney must be appointed and Form 24 must also be filed.
- § **If the change in directors also results in a change in shareholders, please attach a list of the shareholders and the number of shares held by each.**

Failure to complete the applicable clauses may result in the document being rejected.

Completed documents are to be sent to:

Director, Corporations Branch
200, 1871 Smith Street
Regina, Saskatchewan
S4P 4W5

FORM 6.1
Initial Notice of Directors
The Business Corporations Act

NOTE: At least one director must be a resident of Saskatchewan. If there is no resident Saskatchewan director, a Power of Attorney must be appointed.

NOTE: If a director resides in a city, a street address **MUST** be indicated. If residence is in a rural area, use a Legal Land Description (including R.M. name and number).

NOTE: If there are more than 4 directors, please photocopy this page before proceeding or attach an additional page.

_____ Last Name	_____ First Name	_____ Middle Name or Initials
_____ Street and Number or Legal Land Description (including R.M. name and number)		
_____ City or Town	_____ Province	_____ Postal Code
Resident Canadian? Yes <input type="checkbox"/> No <input type="checkbox"/>		

_____ Last Name	_____ First Name	_____ Middle Name or Initials
_____ Street and Number or Legal Land Description (including R.M. name and number)		
_____ City or Town	_____ Province	_____ Postal Code
Resident Canadian? Yes <input type="checkbox"/> No <input type="checkbox"/>		

_____ Last Name	_____ First Name	_____ Middle Name or Initials
_____ Street and Number or Legal Land Description (including R.M. name and number)		
_____ City or Town	_____ Province	_____ Postal Code
Resident Canadian? Yes <input type="checkbox"/> No <input type="checkbox"/>		

_____ Last Name	_____ First Name	_____ Middle Name or Initials
_____ Street and Number or Legal Land Description (including R.M. name and number)		
_____ City or Town	_____ Province	_____ Postal Code
Resident Canadian? Yes <input type="checkbox"/> No <input type="checkbox"/>		



Saskatchewan
Justice
Corporations
Branch

Restated Articles of Incorporation*The Business Corporations Act**[Section 174]***Form 7**

Please see reverse for instructions

- 1 Name of corporation: Entity no.:
- 2 The classes and any maximum number of shares that the corporation is authorized to issue:
- 3 Restrictions, if any, on share transfers:
- 4 Number (or minimum and maximum number) of directors:
- 5 Restrictions, if any, on businesses the corporation may carry on or on powers the corporation may exercise:
- 6 Other provisions, if any:

The foregoing articles correctly restate, without substantive change, the Articles of Incorporation as amended, and supersede the original Articles of Incorporation and all amendments to them.

*Date**Name**Office Held**Signature*

Restated Articles of Incorporation**Form 7**

Instructions for Completion

- Format:** Documents required to be sent to the Director pursuant to the Act must conform with sections 4 to 6 of *The Business Corporations Regulations*. Where any provision required to be set out is too long to be set out in the space provided in the form, the form may incorporate the provisions by annexing a schedule in the manner described in section 6 of those regulations.
- General:** Restated Articles of Incorporation shall set out without substantive change the Articles of Incorporation as previously amended.
- Item 1:** Type or print the name of the corporation exactly as shown in clause 1 of the *Articles of Incorporation* and the entity or corporation number.
- Item 2:** Set out the details required by clause 6(1)(c) of the Act, including details of rights, privileges, restrictions and conditions attached to each class of shares. All shares must be without nominal or par value and must comply with the provisions of Division V of Part 1 of the Act.
- Item 3:** If restrictions are to be placed on the right to transfer shares of the corporation, set out a statement to this effect and the nature of such restrictions.
- Item 4:** State the number of directors. If cumulative voting is permitted, the number of directors must be invariable, otherwise it is permissible to specify a minimum and maximum number of directors.
- Item 5:** If restrictions are to be placed on the business the corporation may carry on or on the powers the corporation may exercise, set out the restrictions.
- Item 6:** Any provision that is to form part of the Articles may be set out if the provision is permitted by the Act or regulations to be set out in the bylaws of the corporation or in a unanimous shareholder agreement, including any pre-emptive rights or cumulative voting provisions.

At the bottom of the page be sure to date the form, print or type your name and sign the form. Under "office held" state whether you are the president, secretary, director or other officer of the corporation.

Completed documents, in duplicate, and the prescribed fee payable to the **Minister of Finance** to be sent to:

Director, Corporations Branch
200, 1871 Smith Street
Regina, Saskatchewan
S4P 4W5

2009-2

BUSINESS CORPORATIONS

B-10 REG 1

FORM 8
Certificate of Restated Articles
Repealed. 29 Oct 99 SR 72/1999 s11.



Articles of Amalgamation
The Business Corporations Act
 [Section 179]

Form 9

Please see reverse for instructions

- 1 Name of amalgamated corporation:

- 2 The classes and any maximum number of shares that the corporation is authorized to issue:

- 3 Restrictions, if any, on share transfers:

- 4 Number (or minimum and maximum number) of directors:

- 5 Restrictions, if any, on businesses the corporation may carry on or on powers the corporation may exercise:

- 6 Other provisions, if any:

- 7 ☐ The amalgamation agreement has been approved by special resolutions of shareholders of each of the amalgamating corporations listed in Item 9 below in accordance with section 177 of the Act.

- 8 ☐ The amalgamation has been approved by a resolution of the directors of each of the amalgamating corporations listed in Item 9 below in accordance with section 178 of the Act. The Articles of Amalgamation set out herein are the same as the Articles of Incorporation of:

(name of designated amalgamating corporation)

9 Name of Amalgamating Corporations Signature Office held Date

*Articles of Amalgamation***Form 9**

Instructions for Completion

- Format:** Documents required to be sent to the Director pursuant to the Act must conform with sections 4 to 6 of *The Business Corporations Regulations*. Where any provision required to be set out is too long to be set out in the space provided in the form, the form may incorporate the provisions by annexing a schedule in the manner described in section 6 of those regulations.
- Item 1:** Set out the proposed corporate name that complies with sections 293 to 295 of the Act and with section 8 of the regulations. If a proposed name has not been reserved under section 292 of the Act, the Articles of Amalgamation must be accompanied by a statement setting out the main types of business to be carried on by the amalgamated corporation.
- Item 2:** Set out the details required by clause 6(1)(c) of the Act. All shares must be without nominal or par value and must comply with Division V of Part I of the Act.
- Item 3:** If restrictions are to be placed on the right to transfer shares of the corporation, set out a statement to this effect and the nature of such restrictions.
- Item 4:** State the number of directors. If cumulative voting is permitted, the number of directors must be invariable, otherwise it is permissible to specify a minimum and maximum number of directors.
- Item 5:** If restrictions are to be placed on the business the corporation may carry on or on the powers the corporation may exercise, set out the restrictions.
- Item 6:** Any provision that is to form part of the Articles may be set out if the provision is permitted by the Act or regulations to be set out in the bylaws of the corporation or in a unanimous shareholder agreement, including any pre-emptive rights or cumulative voting provisions.
- Item 7:** Indicate whether the amalgamation is under section 177 or 178 of the Act. If the amalgamation is under section 178, the Articles of Amalgamation must be the same as the amalgamating holding corporation, or, in the case of an amalgamation of subsidiary corporations, the same as the amalgamating subsidiary corporation whose shares are not cancelled.

Other Notices and Documents:

- (1) The Articles must be accompanied by a Notice of Registered Office (Form 3), a Notice of Directors (Form 6), and a statutory declaration of a director or authorized officer of each amalgamating corporation in accordance with subsection 179(2) of the Act.
- (2) If an amalgamation is effected under section 177 of the Act, the Articles must also be accompanied by a copy of the amalgamation agreement.

Completed documents, in duplicate, and the prescribed fee payable to the **Minister of Finance** are to be sent to:

Director, Corporations Branch
200, 1871 Smith Street
Regina, Saskatchewan
S4P 4W5

2009-2

BUSINESS CORPORATIONS

B-10 REG 1

FORM 10
Certificate of Amalgamation
Repealed. 29 Oct 99 SR 72/1999 s12.



Articles of Continuance
The Business Corporations Act
[Sections 181 and 258]

Form 11

Please see reverse for instructions

- 1** Name of corporation:

- 2** The classes and any maximum number of shares that the corporation is authorized to issue:

- 3** Restrictions, if any, on share transfers:

- 4** Number (or minimum and maximum number) of directors:

- 5** Restrictions, if any, on businesses the corporation may carry on or on powers the corporation may exercise:

- 6** Other provisions, if any:

*Date**Name**Office Held**Signature*

Articles of Continuance
Form 11

Instructions for Completion

- Item 1:** Type or print the name of the corporation exactly as shown in clause 1 of the *Articles of Incorporation*.
- Item 2:** If you have only one class of shares, you may enter "*Unlimited number of Class A shares*". When a corporation has more than one class of shares, the rights of each class must be listed in the Articles. You must include information on:
- Whether or not the shareholders are entitled to vote;
 - Whether or not the shareholders are entitled to receive dividends; and
 - Which class(es) of shares receive the remaining property on dissolution.
- (Note:** at least one class of shares must receive the remaining property.)
- An accountant or lawyer can tell you the best share structure for your corporation to use.
- Item 3:** In most corporations the owners want to restrict the right of a shareholder to transfer shares so they enter, "*No shares of the corporation shall be transferred without approval of the directors.*"
- Item 4:** Most incorporators set a range of directors, for example, *minimum 1 – maximum 5*.
- Item 5:** In most corporations the owners do not want any restrictions on the business they may conduct so they enter "*none*" in this space.
- Item 6:** Most incorporators enter "*none*" in this space.

A director or authorized officer of the corporation shall sign the Articles.

Other Documents:

The Articles must be accompanied by a Notice of Registered Office (Form 3) and Notice of Directors (Form 6). In addition, the Articles, in the case of a Saskatchewan company, must be accompanied by a certified copy of any special resolution or a director's resolution pursuant to subsection 258(1) or (1.1) of the Act, or, in the case of an extra-provincial corporation, proof of authorization under the laws of the jurisdiction in which it was incorporated together with a Statement in Form 28.

Completed documents, in duplicate, and the prescribed fee payable to the **Minister of Finance** are to be sent to:

Director, Corporations Branch
200, 1871 Smith Street
Regina, Saskatchewan
S4P 4W5

2009-2

BUSINESS CORPORATIONS

B-10 REG 1

FORM 12
Certificate of Continuance
Repealed. 29 Oct 99 SR 72/1999 s13.

FORM 13
Certificate of Discontinuance
Repealed. 29 Oct 99 SR 72/1999 s14.



Saskatchewan
Justice
Corporations
Branch

Articles of Reorganization
The Business Corporations Act
(Section 185)

Form 14

Please see reverse for instructions

- 1 Name of corporation: _____ Corporation No. _____
- 2 In accordance with the order for reorganization, the articles of incorporation are amended as follows:

Date

Name

Office Held

Signature

Articles of Reorganization

Instructions – Form 14

The Business Corporations Act

Format:

Documents required to be sent to the Director pursuant to the Act must conform with sections 4 to 6 of the regulations under the Act.

General:

- (a) This document shall set out the amendments to the Articles in accordance with the court order pursuant to section 185.
- (b) Each amendment must relate to the appropriate provision of the Articles being amended, e.g. item, section, subsection, clause, etc.

Signature:

A director or officer authorized by the corporation or the court shall sign the Articles.

Other Documents:

The Articles must be accompanied by:

- (a) A copy of the court order; and
- (b) Notice of Registered Office (Form 3) or Notice of Directors (Form 6) if there is a change in registered office or a change of directors.

Completed documents, in duplicate, and the prescribed fee payable to the Minister of Finance are to be sent to:

Director, Corporations Branch,
1871 Smith Street,
Regina, Saskatchewan.
S4P 3V7

2009-2

BUSINESS CORPORATIONS

B-10 REG 1



Saskatchewan
Justice
Corporations
Branch

Articles of Arrangement
The Business Corporations Act
(Section 186.1)

Form 14.1

Please see reverse for instructions

- 1 Name of corporation: _____ Corporation No. _____
- 2 In accordance with the order approving the arrangement, the articles of incorporation are amended as follows:

Date	Name	Office Held	Signature
------	------	-------------	-----------

Articles of Arrangement

Instructions – Form 14.1

The Business Corporations Act

Format:

Documents required to be sent to the Director pursuant to the Act must conform with sections 4 to 6 of the regulations under the Act.

General:

- (a) This document shall set out the amendments to the Articles in accordance with the court order pursuant to section 186.1.
- (b) Each amendment must relate to the appropriate provision of the Articles being amended, e.g. item, section, subsection, clause, etc.

Signature:

A director or officer authorized by the corporation or the court shall sign the Articles.

Other Documents:

The Articles must be accompanied by:

- (a) A copy of the court order; and
- (b) Notice of Registered Office (Form 3) or Notice of Directors (Form 6) if there is a change in registered office or a change of directors.

Completed documents, in duplicate, and the prescribed fee payable to the Minister of Finance are to be sent to:

Director, Corporations Branch,
1871 Smith Street,
Regina, Saskatchewan.
S4P 3V7

2009-2

BUSINESS CORPORATIONS

B-10 REG 1

FORM 14.2
Certificate of Arrangement
Repealed. 29 Oct 99 SR 72/1999 s15.



Saskatchewan
Justice
Corporations
Branch

Articles of Revival
The Business Corporations Act
(Section 202)

Form 15

Please see reverse for instructions

1 Name of dissolved corporation: Corporation No.

2 Reason for dissolution:

3. Interest of applicant in revival of corporation:

4. Name and address of applicant:

Date:

Signature of Applicant

Articles of Revival

Instructions – Form 15

The Business Corporations Act

Format:

Documents required to be sent to the Director pursuant to the Act must conform with sections 4 to 6 of the regulations under the Act.

Item 1:

Set out the full legal name of the dissolved corporation and corporation number, if known.

Item 2:

State the reasons why the corporation was dissolved, adding specific references where possible to the statutory provision under which it was dissolved.

Item 3:

State details of your interest in the corporation and why you seek to have the corporation revived.

Item 4:

Set out the first given name, initial and family name of the applicant and the business or residential address of the applicant.

Other Documents:

The articles must, in the case of a corporation dissolved under subsection 258(3) of the Act be accompanied by articles of continuance, in duplicate.

Completed documents, in duplicate, and the prescribed fee payable to the Minister of Finance are to be sent to:

Director, Corporations Branch,
1871 Smith Street,
Regina, Saskatchewan.
S4P 3V7

2009-2

BUSINESS CORPORATIONS

B-10 REG 1

FORM 16
Certificate of Rival

Repealed. 29 Oct 99 SR 72/1999 s16.



Saskatchewan
Justice
Corporations
Branch

Articles of Dissolution
The Business Corporations Act
(Sections 203 and 204)

Form 17

Please see reverse for instructions

1 Name of corporation: Corporation No.

2 Check the appropriate case:

- ☐ The corporation has no property and no liabilities; has not issued any shares; and is dissolved by resolution of all the directors (subsection 203(1)).
- ☐ The corporation has no property and no liabilities and is dissolved by special resolution of the shareholders of each class whether or not they are otherwise entitled to vote (subsection 203(2)).
- ☐ The corporation has distributed its property and discharged its liabilities pursuant to a special resolution of shareholders of each class whether or not they are otherwise entitled to vote (subsection 203(2.1)).
- ☐ The corporation has sent a Statement of Intent to Dissolve to the Director (which has not been revoked) and has discharged its obligations, distributed its remaining property among its shareholders according to their respective rights and has otherwise complied with subsection 204(7).

3. Documents and records of the corporation shall be kept for six years from the date of dissolution by:

Full Name Address Occupation

Date Name Office Held Signature

Articles of Dissolution

Instructions – Form 17

The Business Corporations Act

Format:

Documents required to be sent to the Director pursuant to the Act must conform with sections 4 to 6 of the regulations under the Act.

Item 1:

Set out the full legal name of the corporation and the corporation number.

Item 2:

Check the appropriate case.

Item 3:

Set out the first given name, initial and family name, occupation and business address of the person who will be liable to produce the documents and records of the dissolved corporation under section 218 of the Act.

Signature:

A director or authorized officer of the corporation shall sign the Articles.

Completed documents, in duplicate, are to be sent to:

Director, Corporations Branch,
1871 Smith Street,
Regina, Saskatchewan,
S4P 3V7

2009-2

BUSINESS CORPORATIONS

B-10 REG 1

FORM 18
Certificate of Dissolution
Repealed. 23 Jne 2006 SR 56/2006 s6.



Saskatchewan
Justice
Corporations
Branch

Statement of Intent to Dissolve

(Section 204(4))

Form 19

or Revocation of Intent to Dissolve

(Section 204(10))

The Business Corporations Act

Please see reverse for instructions

1 Name of corporation: Corporation No.

2 Check the appropriate case:

☐ The corporation intends to liquidate and dissolve:

☐ The corporation revokes its Statement of Intent to Dissolve:

Date

Name

Office Held

Signature

CB-19

16 Nov 84 cB-10 Reg 1.

**Statement of Intent to Dissolve
or Revocation of Intent to Dissolve**

Instructions – Form 19

The Business Corporations Act

Format:

Documents required to be sent to the Director pursuant to the Act must conform with sections 4 to 6 of the regulations under the Act.

Item 1:

Set out the full legal name of the corporation and the corporation number.

Item 2:

Indicate whether the corporation intends to liquidate and dissolve under subsection 204(3) of the Act; or whether the corporation intends to revoke under subsection 204(10) of the Act its intent to dissolve pursuant to a certificate issued to it by the Director under subsection 204(5) of the Act.

Signature:

A director or authorized officer of the corporation shall sign the statement.

Other Documents:

A statement must be accompanied by a copy of the special resolution required under subsection 204(3) or subsection 204(10) of the Act.

Completed documents, in duplicate, and the prescribed fee payable to the Minister of Finance are to be sent to:

Director, Corporations Branch,
1871 Smith Street,
Regina, Saskatchewan.
S4P 3V7

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BUSINESS CORPORATIONS

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FORM 20
Certificate of Intent (to dissolve)

Repealed. 23 Jne 2006 SR 56/2006 s6.

FORM 21
Certificate of Revocation

Repealed. 29 Oct 99 SR 72/1999 s17.

FORM 22
Application for Registration
The Business Corporations Act

1. Name of entity:	Corp. # in home jurisdiction
--------------------	------------------------------

2. Address of Registered Office in home jurisdiction:
<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Street Address
<div style="display: flex; justify-content: space-between; border-bottom: 1px solid black; margin-bottom: 5px;"></div> <div style="display: flex; justify-content: space-between;"> Name of City/Town/Village Province Postal Code </div>

3. Corporate history:	Fundamental changes since Incorporation/Amalgamation in home jurisdiction (e.g. Name changes & date of change, etc.) – Attach an additional sheet if insufficient space.
Incorporation/Amalgamation Date in home jurisdiction:	
Jurisdiction of Incorporation/Amalgamation:	

4. The directors of the corporation are: (Attach an additional sheet if insufficient space)

Name	Address	Position held (if any)

5. Attached documents include:

- Power of Attorney
- Certificate of Status (or Compliance) from home jurisdiction

<p>I, _____, being _____ of the (Director/Solicitor and Agent/Authorized Officer)</p> <p>corporation, certify that the Application for Registration and any attachments are correct and that I have the authority to request this Application be filed pursuant to <i>The Business Corporations Act</i>.</p> <p>Date: _____ Signature: _____</p>

29 Oct 99 SR 72/1999 s18.

FORM 23
Certificate of Registration
 Repealed. 29 Oct 99 SR 72/1999 s19.

FORM 24
Power of Attorney
The Business Corporations Act

Name of corporation:	Entity No.:
----------------------	-------------

appoints:

Name of Power of Attorney	Address (must be resident of Saskatchewan) If the Power of Attorney resides in a city, his or her resident address MUST be indicated. If residence is in a rural area, use a Legal Land Description (including R.M. name and number).	Signature of individual name as Attorney (indicates acceptance of appointment)

to act as its attorney for the purpose of receiving service of process in all suits and proceedings by or against the corporation within Saskatchewan and for the purpose of receiving all lawful notices; and the corporation declares that service of process respecting such suits and proceedings, and of such notices, on the attorney are legal and binding to all intents and purposes whatsoever.

Where more than one person is appointed attorney, any one of them, without the others, may act as true and lawful attorney of the corporation.

This appointment revokes all previous appointments.

(This section is to be completed by a Director or Authorized Officer of the above corporation.)

Date	Name	Office Held	Signature
------	------	-------------	-----------

29 Oct 99 SR 72/1999 s20.



Application to Restore Name to the Register *
The Business Corporations Act

Form 25

Name of corporation: _____

Entity no. _____

* **A completed Annual Return must accompany this Application**

I, _____, being _____ of the
(Please print full name) (Director, Solicitor and Agent Authorized Officer)

corporation, certify that the Application to Restore and the attached Annual Return are correct and that I have the authority to request this Application be filed pursuant to *The Business Corporations Act*.

Date: _____ Signature: _____

Mailing Information *The Confirmation of Restoral will be sent to the mailing address of the corporation unless otherwise indicated below.*

Name of individual (or firm): _____

Mailing address: _____

City: _____ Province: _____ Postal Code: _____

Attention: _____ Phone *(optional)*: _____

☐ If you would also like a copy of the Confirmation of Restoral to be faxed, please check the box and add an additional fee of **\$5** to the cost of the Application to Restore.

Fax number: _____

The completed **Application to Restore** and **Annual Return** and the prescribed fee payable to the **Minister of Finance** are to be sent to:

Director, Corporations Branch
 200, 1871 Smith Street
 Regina, Saskatchewan
 S4P 4W5

Rev. 04/06

23 June 2006 SR 56/2006 s6.



**Annual Return
Saskatchewan Corporation
Form 26**

[Barcode]

The Business Corporations Act

Page [X] of [Y]

ENTITY NUMBER:

Return Due By: [DD-MMM-YYYY]

ENTITY NAME:

Fee:	If received by due date	\$
	If received after due date	\$

Alternative Language Name:

Other Legal Names:

TYPE:

SUB-TYPE:

--	--

I, _____, being _____ of the _____
(Please print full name) *(Director-Solicitor and Agent Authorized Officer)*

corporation, certify that the attached information respecting the corporation is correct and that I have the authority to sign this document on behalf of the corporation.

Date: _____ Signature: _____

EMAIL NOTIFICATION:

Annual Returns may be filed on paper or electronically at: www.corporations.justice.gov.sk.ca

When your next Annual Return is due, would you prefer to receive a paper copy of the annual return or receive an email notification with instructions on how to file online?

Please check the preferred option: ☐ paper ☐ email email address: _____

Generation Date:

Version Number:



Annual Return Saskatchewan Corporation

[BARCODE]

Form 26

The Business Corporations Act

Page[X] of [Y]

ENTITY NUMBER:

Return Due By: [DD-MMM-YYYY]

ENTITY NAME:

Fee: If received by due date \$
If received after due date \$

Alternative Language Name:

Other Legal Names:

INCORPORATION DATE:

Please make any changes in the white space provided

MAILING ADDRESS INFORMATION:

MAILING NAME:	
ADDRESS:	
CITY/PROVINCE:	
COUNTRY/POSTAL CODE:	
ATTENTION:	
PHONE: FAX:	

REGISTERED OFFICE INFORMATION:

Note: Address cannot be a box number.

ADDRESS:	
CITY:	
PROVINCE:	MUST BE IN SASKATCHEWAN
COUNTRY/POSTAL CODE:	
PHONE <i>optional</i> :	

SHARE STRUCTURE:

CLASS	VOTING RIGHTS	AUTHORIZED NUMBER	ISSUED NUMBER	CURRENT NUMBER OF ISSUED SHARES (if any)

TOTAL NUMBER OF ISSUED SHARES

NOTE: The issued number of shares cannot exceed the authorized number for each class. The total number of issued shares for each class must equal the numbers reported for the shareholders on the following pages.

NOTE: If a director resides in a city, a street address **MUST** be indicated.

DIRECTOR/OFFICER/SHAREHOLDER INFORMATION:

Allowable Number of Directors:		Minimum:	Maximum:
NAME: <input type="checkbox"/> Director <input type="checkbox"/> Officer <input type="checkbox"/> Shareholder	Date Ceased as Director (if any)	<input type="checkbox"/> Director <input type="checkbox"/> Officer <input type="checkbox"/> Shareholder	Date Became Director (if any)
ADDRESS:			
CITY/PROVINCE:			
COUNTRY/POSTAL CODE:			
RESIDENT CANADIAN:			
POSITION HELD AS OFFICER: (if any):		Ceased as Officer Yes <input type="checkbox"/> No <input type="checkbox"/>	
SHARES HELD:			

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BUSINESS CORPORATIONS

B-10 REG 1



Annual Return Saskatchewan Corporation

[BARCODE]

Form 26

The Business Corporations Act

Page [X] of [Y]

ENTITY NUMBER:

Return Due By: [DD-MMM-YYYY]

ENTITY NAME:

Fee: If received by due date \$
 If received after due date \$

Alternative Language Name:

Other Legal Names:

TRANSFER AGENT:

NAME:

ADDRESS:

CITY/PROVINCE:

COUNTRY/POSTAL CODE:

PHONE *(optional):***POWER(s) OF ATTORNEY:**

NAME:

**THE POWER OF ATTORNEY CANNOT BE CHANGED
ON THE ANNUAL RETURN!** If the Attorney has changed,
a new Power of Attorney form is required to be completed.

ADDRESS:

CITY:

POSTAL CODE:

PHONE *(optional):***RECEIVER MANAGER:**

NAME:

ADDRESS:

CITY/PROVINCE:

COUNTRY/POSTAL CODE:

PHONE *(optional):***NATURE OF BUSINESS:**

BUSINESS LOCATIONS WITHIN SASKATCHEWAN: These are the addresses of any other business locations within Saskatchewan which operate under the **SAME** name. If there is not enough space, please attach a list, giving the street address (box numbers will NOT be accepted), city/town/village and postal code.

STREET ADDRESS OR LEGAL LAND LOCATION	CITY/TOWN/VILLAGE	POSTAL CODE

IN WHAT OTHER CANADIAN JURISDICTIONS ARE YOU REGISTERED TO CARRY ON BUSINESS?



Annual Return
Saskatchewan Corporation
Form 26

The Business Corporations Act

[BARCODE]

Page [X] of [Y]

ENTITY NUMBER:

Return Due By: [DD-MMM-YYYY]

ENTITY NAME:

Fee: If received by due date \$
If received after due date \$

Alternative Language Name:
Other Legal Names:

FARM LAND SECURITY BOARD INFORMATION:

DOES THIS CORPORATION OWN, LEASE OR OPERATE FARM LAND IN SASKATCHEWAN?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Any questions about farm land should be directed to the Farm Land Security Board at (306) 787-5047.		

GENERAL INFORMATION (OPTIONAL):

NUMBER OF FULL-TIME EMPLOYEES:	
NUMBER OF PART-TIME EMPLOYEES:	

Version Number:



**Annual Return
Extra-Provincial Corporation
Form 26.1**

[RARC CODE]

The Business Corporations Act

Page [X] of [Y]

ENTITY NUMBER:

Return due by: [DD-MMM-YYYY]

ENTITY NAME:

Fee: If received by due date \$
If received after due date \$

Alternative Language Name:
Name in Home Jurisdiction:
Other Legal Names:

Please make any changes in the white space provided

MAILING ADDRESS INFORMATION:

MAILING NAME:	
ADDRESS:	
CITY/PROVINCE:	
COUNTRY POSTAL CODE:	
ATTENTION:	
PHONE: FAX:	

REGISTERED OFFICE INFORMATION:

Note: Address **cannot** be a box number.

ADDRESS:	
CITY:	
PROVINCE:	
COUNTRY POSTAL CODE:	
PHONE (optional):	

DIRECTOR/OFFICER INFORMATION:

NAME: <input type="checkbox"/> Director <input type="checkbox"/> Officer	Date Ceased as Director (if any)	<input type="checkbox"/> Director <input type="checkbox"/> Officer	Date Became Director (if any)
ADDRESS:			
CITY/PROVINCE:			
COUNTRY POSTAL CODE:			
POSITION HELD AS OFFICER: (if any):	Ceased as Officer Yes <input type="checkbox"/> No <input type="checkbox"/>		

POWER(s) OF ATTORNEY:

NOTE: The Power of Attorney must reside in Saskatchewan.

NAME:	THE POWER OF ATTORNEY CANNOT BE CHANGED ON THE ANNUAL RETURN. If the Attorney has changed, a new Power of Attorney form is required to be completed.
ADDRESS:	
CITY POSTAL CODE:	
PHONE (optional):	

2009-2

BUSINESS CORPORATIONS

B-10 REG 1



**Annual Return
Extra-Provincial Corporation
Form 26.1**

[BARCODE]

The Business Corporations Act

Page [X] of [Y]

ENTITY NUMBER:

Return due by: [DD-MMM-YYYY]

ENTITY NAME:

Fee: If received by due date \$

If received after due date \$

Alternative Language Name:
Name in Home Jurisdiction:
Other Legal Names:

RECEIVER MANAGER:

NAME:	
ADDRESS:	
CITY/PROVINCE:	
COUNTRY/POSTAL CODE:	
PHONE: <i>optional</i> :	

NATURE OF BUSINESS:

--	--

BUSINESS LOCATIONS WITHIN SASKATCHEWAN: These are the addresses of any other business locations within Saskatchewan which operate under the **SAME** name. If there is not enough space, please attach a list, giving the street address (box numbers will NOT be accepted), city/town/village and postal code.

STREET ADDRESS OF LEGAL LAND LOCATION	CITY/TOWN/VILLAGE	POSTAL CODE

FARM LAND SECURITY BOARD INFORMATION:

DOES THIS CORPORATION OWN, LEASE OR OPERATE FARM LAND IN SASKATCHEWAN?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Any questions about farm land should be directed to the Farm Land Security Board at (306) 787-5047.	
NOTE: If there has been a change in share ownership or share structure, please provide a copy of the last annual return filed in the home jurisdiction to: Farm Land Security Board, 207-3988 Albert Street, Regina, Saskatchewan S4S 3R1, Fax: (306) 787-8599.	

GENERAL INFORMATION (OPTIONAL):

NUMBER OF FULL-TIME EMPLOYEES:	
NUMBER OF PART-TIME EMPLOYEES:	



**Request for Name Availability
Search and Reservation**
The Business Corporations Act

Form 27

Name of individual (or firm) requesting search: _____ Date: _____
 Mailing Address: _____
 City: _____ Province: _____ Postal Code: _____
 Attention: _____ Phone No.: _____ Fax No.: _____
(Where you may be reached between 8 a.m. and 5 p.m.)

I wish to incorporate as a number corporation. *(A number will be issued by Corporations Branch). There will not be a charge for this name search. Please proceed to enter the type of business.*

Saskatchewan Mandatory Search—\$50

*(includes a search of names registered in Saskatchewan,
Federal corporations and registered trademarks)*

Scope of Search *(select the scope of search preferred)*

Service Options: *Results to be mailed unless fax
option selected*

☐ Rush *(extra \$100 charge)*

☐ Fax *(extra \$5 charge)*

Fax Number: _____

☐ **Search all names** *A name search fee will apply to
EVERY name*

OR

☐ **Search to first available name**

Names to Search (in order of preference) *Each name requires a distinctive and descriptive term. A distinctive term distinguishes your name from anyone else in the same type of business. A descriptive term indicates what type of business you will be doing. E.g. Bob's Courier Service Ltd.*

If you have additional names, please attach a separate page. NOTE: You do not have to enter more than one name if you do not wish to.

1

2

3

Type(s) of business the business intends to carry on: *Be specific—terms such as manufacturing, consulting, etc.
need further clarification.*

General location(s) in Saskatchewan where business will operate:

This name is to be used for:

<input type="checkbox"/>	Incorporation
<input type="checkbox"/>	Restoral
<input type="checkbox"/>	Name Change from:
<input type="checkbox"/>	Extra-provincial Registration from:
<input type="checkbox"/>	Amalgamation—The name will be the same as the following:
<input type="checkbox"/>	Entity no. _____ Name: _____
<input type="checkbox"/>	Extra-provincial registration of a federally registered corporation or a Saskatchewan numbered corporation. <i>There will not be a charge for this name search. Please proceed to enter the name of the corporation and the type of business.</i>

**** Optional Searches Available (extra \$60 fee)**

To request a search for a trademark, federal name search or a search which contains similar names registered across Canada, contact Corporations Branch at (306) 787-2962 for further details.

2009-2

BUSINESS CORPORATIONS

B-10 REG 1



Saskatchewan
Justice
Corporations
Branch

Statement of Continuance
The Business Corporations Act

Form 28

Please see reverse for instructions

1 Name of corporation:

2 Corporate history:

3. Main types of business carried on:

(a)

(b)

(c)

4. Other information:

Date

Name

Office Held

Signature

Statement of Continuance

Instructions – Form 28

The Business Corporations Act

Item 1:

Set out the full legal name of the corporation.

Item 2:

Give date and jurisdiction of incorporation or date and jurisdiction of amalgamation and of interjurisdictional transfer, if any, and change of name.

Examples of information required:

- (a) ABC Holdings Ltd. was incorporated under the laws of Alberta on January 15, 1921 as XYZ Agencies Ltd. – changed to its present name in 1930 – continued as a Manitoba corporation under its present name on January 10, 1977.
- (b) A.B.C. Holdings Ltd. resulted from the amalgamation of A.B.C. Enterprises Ltd. and A.B.C. Investments Ltd. under the laws of Alberta on February 14, 1965, etc.

Item 3:

State the name actual business or businesses of the corporation.

Item 4:

For use only if additional information is provided.

Signature:

A director or authorized officer shall sign the form.



Application for Exemption
The Business Corporations Act

Form 29

Please see reverse for instructions

1 Name of corporation: Corporation No.

2 Type of application for exemption:

- ☐ Proxy solicitation – section 145
- ☐ Financial Disclosure – section 150
- ☐ Affiliation exemption – subsection 154(3)
- ☐ Auditor – subsection 157(4)
- ☐ Audit Committee – subsection 165(2)

3. Name and address of applicant:

4. Capacity of applicant:

5. Application for exemption is made for the following reasons:

Date

Name of applicant

Signature

Application for Exemption

Instructions – Form 29

The Business Corporations Act

Item 1:

Set out full legal name of corporation and corporation number.

Item 2:

Check the appropriate box to indicate the provision of the Act to which the requested exemption relates.

Item 3:

Set out the full name (firm name, initial and family name if an individual) and address and postal code.

Item 4:

State the capacity in which the applicant acts, a director, authorized officer or solicitor of a corporation, or a solicitor or agent of an applicant.

Item 5:

State clearly the legal, economic or other reasons why the exemption should be granted.

Signature:

The applicant or his authorized agent shall sign the application. If the applicant is a corporation, a director or authorized agent of the corporation shall sign the application.

Completed documents, in duplicate, and the prescribed fee payable to the Minister of Finance are to be sent to:

Director, Corporations Branch,
1871 Smith Street,
Regina, Saskatchewan.
S4P 3V7

2009-2

BUSINESS CORPORATIONS

B-10 REG 1



Ministry of Justice and
Attorney General
Corporations
Branch

**Statement of Proposed Continuance
in Another Jurisdiction**

The Business Corporations Act
[Section 182]

Form 30

Please see reverse for instructions

Entity No: _____

_____, incorporated under
the laws of Saskatchewan, requests the approval of the Director in connection with its proposed
continuance under the laws of _____ and makes the following
statements:

1. The corporation is not in default in filing annual returns or notices under *The Business Corporations Act*.
2. There are no actions, suits or proceedings pending against the corporation nor any unsatisfied judgements or any orders outstanding against the corporation, except as follows:
3. A notice of meeting of shareholders, in accordance with subsection 182(3), was sent to each shareholder stating that a dissenting shareholder is entitled to be paid the fair value of his or her shares in accordance with section 184.
4. On _____, 20 _____ the shareholders authorized the corporation to request continuance under the laws of the above-mentioned jurisdiction in accordance with subsection 182(5).
5. The proposed continuance will not adversely affect shareholders of the corporation. No shareholder has objected or dissented under section 184 to the proposed continuance except the following:
6. The proposed continuance will not adversely affect creditors of the corporation. The total liability of the corporation to all creditors as at _____, 20 _____ was \$ _____. The names and addresses of, and the amount owing to, the major creditors of the corporation are:
7. Additional information, if any:

Date

Name

Office Held

Signature

Statement of Proposed Continuance in Another Jurisdiction

Form 30

INSTRUCTIONS FOR COMPLETION

Format: Documents required to be sent to the Director pursuant to the Act must conform with sections 4 to 6 of the regulations under the Act. Where any provision required to be set out is too long to be set out in the space provided in the form, the form may incorporate the provisions by annexing a schedule in the manner described in section 6 of the regulations.

- General:** Set out full legal name of corporation and name of the jurisdiction in which the corporation intends to apply for continuance.
- Item 1:** The corporation is required to have complied with all filing requirements.
- Item 2:** If there are no actions or suits pending against the corporation for any unsatisfied judgements or orders, state 'none' or 'N/A'.
- Items 3 & 4:** The corporation is required to send proper notice of the proposed continuance to shareholders, and the shareholders must authorize the continuance by special resolution.
- Item 5:** If no shareholder has dissented, state 'none' or 'N/A'.
- Item 6:** The major creditors of the corporation would generally be those to whom, in total, are owed a majority of the liabilities of the corporation.
- Item 7:** Set out any additional information that may assist the Director in determining whether to grant the application and issue a certification of authorization.

At the bottom of the page be sure to date the form, print or type your name and sign the form. Under 'office held' tell us whether you are the president, secretary, director or other officer of the corporation.

Completed documents, in duplicate, and the prescribed fee payable to the **Minister of Finance** are to be sent to:

Director, Corporations Branch
200, 1871 Smith Street
Regina, Saskatchewan
S4P 4W5

FORM 31
Certificate of Authorization
Repealed. 29 Oct 99 SR 72/1999 s21.



Saskatchewan
Justice
Corporations
Branch

Application for Alternate Name
The Business Corporations Act
[Section 294.1]

Form 32

-
- 1 Name of corporation: _____ Corporation No.: _____
- 2 Proposed alternate name for use in Saskatchewan pursuant to section 294.1 of *The Business Corporations Act*;

Date

Name

Office held

Signature

FORM 33
Certificate of Alternate Name
Repealed. 29 Oct 99 SR 72/1999 s22.



Saskatchewan
Justice
Corporations
Branch

**Application to Cancel
an Alternate Name**
The Business Corporations Act
[Section 294.1]

Form 34

1 Name of corporation: _____ Corporation No.: _____

2 The corporation has cancelled the following alternate name:

Date

Name

Office held

Signature

2009-2

BUSINESS CORPORATIONS

B-10 REG 1



Saskatchewan
Justice
Corporations
Branch

**Application to Cancel
an Alternate Name**
The Business Corporations Act
[Section 294.1]

Form 34

1 Name of corporation: _____ Corporation No.: _____

2 The corporation has cancelled the following alternate name:

Date

Name

Office held

Signature

CB-25

FORM 34.1
The Business Corporations Act
[Sections 12 and 42.1]

PROXY CIRCULAR

ITEM 1 - REVOCABILITY OF PROXY:

State whether the person giving the proxy has the power to revoke it. If any right of revocation is limited or is subject to compliance with any formal procedures, briefly describe the limitation or procedure.

ITEM 2 PERSONS MAKING THE SOLICITATION:

(a) If the solicitation is made by or on behalf of the management of the corporation, so state. Give the name of any director of the corporation who has informed the management in writing that the director intends to oppose any action intended to be taken by the management and indicate the action that the director intends to oppose.

(b) If the solicitation is made otherwise than by or on behalf of the management of the corporation, so state and give the name of the person by whom or on whose behalf it is made.

(c) If the solicitation is to be made otherwise than by mail, describe the method to be employed. If the solicitation is to be made by specially engaged employees or soliciting agents, state:

- (i) the material features of any contract or arrangement for the solicitation and identify the parties to the contract or arrangement; and
- (ii) the cost or anticipated cost of the contract or arrangement.

(d) State the name of the person by whom the cost of soliciting has been or will be borne, directly or indirectly.

ITEM 3 - INTEREST OF CERTAIN PERSONS IN MATTERS TO BE ACTED ON:

Give brief particulars of any material interest, direct or indirect, by way of beneficial ownership of shares or otherwise, of each of the following persons in any matter to be acted on other than the election of directors or the appointment of auditors:

- (a) if the solicitation is made by or on behalf of the management of the corporation, each person who has been a director or officer of the corporation at any time since the beginning of the last financial year of the corporation;
- (b) if the solicitation is made otherwise than by or on behalf of the management of the corporation, each person on whose behalf, directly or indirectly, the solicitation is made;
- (c) each proposed nominee for election as a director of the corporation;
- (d) each associate or affiliate of any of the foregoing persons.

INSTRUCTIONS:

1. *The following persons are deemed to be persons by whom or on whose behalf the solicitation is made:*

(a) *any member of a committee or group that solicits proxies, and any person whether or not named as a member who, acting alone or with one or more other persons, directly or indirectly takes the initiative or engages in organizing, directing or financing any committee or group;*

(b) *any person who finances or joins with another to finance the solicitations of proxies except a person who contributes not more than \$250 and who is not otherwise a person by whom or on whose behalf the solicitation is made; or*

(c) *any person who lends money, provides credit or enters into any other arrangements, pursuant to any contract or understanding with a person by whom or on whose behalf a solicitation is made, for the purpose of financing or otherwise inducing the purchase, sale, holding or voting of shares of the corporation, but this clause does not include a bank or other lending institution or a dealer that, in the ordinary course of business, lends money or executes orders for the purchase or sale of shares and who is not otherwise a person on whose behalf a solicitation is made.*

2. *The following persons are deemed not to be persons by whom or on whose behalf a solicitation is made:*

(a) *any person retained or employed by a person by whom or on whose behalf a solicitation is made to solicit proxies and who is not otherwise a person by whom or on whose behalf a solicitation is made or any person who merely transmits proxy soliciting material or performs ministerial or clerical duties;*

(b) *any person employed or retained by a person by whom or on whose behalf a solicitation is made in the capacity of lawyer, accountant, or advertising, public relations or financial adviser and whose activities are limited to the performance of his or her duties in the course of the employment or retainer;*

(c) *any person regularly employed as an officer or employee of the corporation or any of its affiliates who is not otherwise a person by whom or on whose behalf a solicitation is made; or*

(d) *any officer or director of, or any person regularly employed by, any other person by whom or on whose behalf a solicitation is made, if the officer, director or employee is not otherwise a person by whom or on whose behalf a solicitation is made.*

ITEM 4 - VOTING SHARES AND PRINCIPAL HOLDERS OF VOTING SHARES:

(a) *State as to each class of voting shares of the corporation entitled to be voted at the meeting, the number of shares outstanding and the particulars of voting rights for each share of each such class.*

(b) Give the record date as of which the shareholders entitled to vote at the meeting will be determined or particulars as to the closing of the securities register, as the case may be, and, if the right to vote is not limited to shareholders of record as of a specified record date, indicate the conditions under which shareholders are entitled to vote.

(c) If, to the knowledge of the directors or officers of the corporation, any person beneficially owns, directly or indirectly, or exercises control or direction over, voting shares carrying more than 10 % of the voting rights attached to any class of voting shares of the corporation, name each such person, state the approximate number of the shares beneficially owned, directly or indirectly, or over which control or direction is exercised, by each such person and the percentage of the class of outstanding voting shares of the corporation represented by the number of voting shares so owned, controlled or directed.

ITEM 5 - ELECTION OF DIRECTORS:

(a) If directors are to be elected, provide the following information, in tabular form to the extent practicable, for each person proposed to be nominated for election as a director and each other person whose term of office as a director will continue after the meeting:

(i) State the name of each proposed director of the corporation and the name of each director of the corporation whose term of office will continue after the meeting.

(ii) State when the term of office for each director and proposed director will expire.

(iii) State whether the corporation has an executive committee of its Board of Directors or is required to have an audit committee and, if so, name those directors who are members of each committee.

(iv) If a director or officer has held more than one position in the corporation, or a parent or subsidiary of the corporation, give only the first and last position so held.

(v) State the present principal occupation, business or employment of each director and proposed director. Give the name and principal business of any person in which any such employment is carried on. Furnish similar information as to all of the principal occupations, businesses or employments of each proposed director within the five preceding years, unless the proposed director is now a director and was elected to his or her present term of office by a vote of shareholders at a meeting, the notice of which was accompanied by a proxy circular.

(vi) If the proposed director is or has been a director of the corporation, state the period or periods during which he or she has served as such.

(vii) State the number of shares of each class of voting shares of the corporation or of any subsidiary of the corporation beneficially owned, directly or indirectly or over which control or direction is exercised by each proposed director.

(viii) If voting shares carrying more than 10 % of the voting rights attached to all voting shares of the corporation or of a subsidiary of the corporation are beneficially owned, directly or indirectly, or controlled or directed by any proposed director and his or her associates or affiliates, state the number of shares of each class of voting shares beneficially owned, directly or indirectly, or controlled or directed by the associates or affiliates, naming each associate or affiliate whose share holdings are 10 % or more.

(b) If any proposed director is to be elected pursuant to any arrangement or understanding between the nominee and any other person, except the directors and officers of the corporation acting solely in that capacity, name the other person and describe briefly the arrangement or understanding.

ITEM 6 - EXECUTIVE COMPENSATION:

Complete and attach to or include in this form a Statement of Executive Compensation in Form 34.2.

ITEM 7 - INDEBTEDNESS OF DIRECTORS AND OFFICERS:

With respect to each director and each officer of the corporation, each proposed nominee for election as a director of the corporation and each associate or affiliate of any director, officer or proposed nominee who is or has been indebted to the corporation or its subsidiaries at any time since the beginning of the last completed financial year of the corporation, state with respect to each corporation or subsidiary:

- (a) the largest aggregate amount of indebtedness outstanding at any time during the last completed financial year;
- (b) the nature of the indebtedness and of the transaction in which it was incurred;
- (c) the amount of the indebtedness presently outstanding; and
- (d) the rate of interest paid or charged on the indebtedness.

No disclosure need be made of routine indebtedness.

INSTRUCTIONS:

1. **"routine indebtedness"** means indebtedness described in any of the following clauses:

- (a) if a corporation makes loans to employees generally whether or not in the ordinary course of business, loans must be considered to be routine indebtedness if made on terms, including those as to interest rate or collateral, no more favourable to the borrower than the terms on which loans were made by the corporation to employees generally, but the amount at any time remaining unpaid under those loans to any one director, officer or proposed nominee together with his or her associates or affiliates that is treated as routine indebtedness under this clause must not exceed \$25,000;

(b) whether or not the corporation makes loans in the ordinary course of business, a loan to a director or officer must be considered to be routine indebtedness if:

- (i) the borrower is a fulltime employee of the corporation;*
- (ii) the loan is fully secured against the residence of the borrower, and*
- (iii) the amount of the loan does not exceed the annual salary of the borrower;*

(c) if the corporation makes loans in the ordinary course of business, a loan must be considered to be routine indebtedness if made to a person other than a fulltime employee of the corporation, and if the loan:

(i) is made on substantially the same terms including those as to interest rate and collateral, as were available when the loan was made to other customers of the corporation with comparable credit ratings; and

(ii) involves no more than usual risks of collectibility; and

(d) indebtedness arising by reason of purchases made on usual trade terms or of ordinary travel or expense advances, or for similar reasons must be considered to be routine indebtedness if the repayment arrangements are in accord with usual commercial practice.

2. State the name and home address in full or, alternatively, solely the municipality of residence or postal address of each person whose indebtedness is described.

ITEM 8 - INTEREST OF INSIDERS IN MATERIAL TRANSACTIONS:

If not previously disclosed in an information circular, describe briefly, and if practicable, state the approximate amount of any material interest, direct or indirect, of any insider of the corporation, any proposed nominee for election as a director of the corporation or any associate or affiliate of any insider or proposed nominee in any transaction since the commencement of the corporation's last financial year or in any proposed transaction which has materially affected or would materially affect the corporation or any of its subsidiaries.

INSTRUCTIONS:

1. Give a brief description of the material transaction. State the name and address of each person whose interest in any transaction is described and the nature of the relationship by reason of which the interest is required to be described.

2. As to any transaction involving the purchase or sale of assets by or to the corporation or any subsidiary, otherwise than in the ordinary course of business, state the cost of the assets to the purchaser and the cost of the assets to the seller if acquired by the seller within two years before the transaction.

3. This item does not apply to any interest arising from the ownership of shares of the corporation if the shareholder receives no extra or special benefit or advantage not shared on a pro rata basis by all holders of the same class of shares or by all holders of the same class of shares who are resident in Canada.

4. *Information must be included as to any material underwriting discounts or commissions on the sale of shares by the corporation if any of the specified persons was, or is to be, an underwriter who was, or is to be, in a contractual relationship with the corporation with respect to shares of the corporation or is an associate or affiliate of a person who was or, is to be, an underwriter.*

5. *No information need be given in answer to this item as to any transaction or any interest in a transaction if:*

(a) the rates or charges involved in the transaction are fixed by law or determined by competitive bids;

(b) the interest of the specified person in the transaction is solely that of a director of another person who is a party to the transaction;

(c) the transaction involves services as a chartered bank or other depository of funds, transfer agent, registrar, trustee under a trust indenture or other similar services; or

(d) the transaction does not, directly or indirectly, involve remuneration for services and:

(i) the interest of the specified person arose from the beneficial ownership, direct or indirect, of less than 10 % of any class of voting shares of another person who is a party to the transaction;

(ii) the transaction is in the ordinary course of business of the corporation or its subsidiaries; and

(iii) the amount of the transaction or series of transactions is less than 10 % of the total sales or purchases, as the case may be, of the corporation and its subsidiaries for the last financial year.

6. *Information must be furnished in answer to this item with respect to transactions not excluded above which involve remuneration, directly or indirectly, to any of the specified persons for services in any capacity, unless the interest of the person arises solely from the beneficial ownership, direct or indirect, of less than 10 % of any class of voting shares of another person furnishing the services to the corporation or its subsidiaries.*

ITEM 9 - APPOINTMENT OF AUDITOR:

If action is to be taken with respect to the appointment of an auditor, name the auditor of the corporation. If the auditor was first appointed within the last five years, state the date when the auditor was first appointed.

ITEM 10 - MANAGEMENT CONTRACTS:

If management functions of the corporation or any subsidiary are to be to any substantial degree performed by a person other than the directors or officers of the corporation or subsidiary:

(a) give details of the agreement or arrangement under which the management functions are performed, including the name and address of any person who is a party to the agreement or arrangement or who is responsible for performing the management functions;

(b) give the names and home addresses in full or, alternatively, solely the municipality of residence or postal address, of the insiders of any person with which the corporation or subsidiary has any agreement or arrangement and, if the following information is known to the directors or officers of the corporation, give the names and addresses of any person who would be an insider of any person with which the corporation or subsidiary has any agreement or arrangement if the person were a corporation;

(c) with respect to any person named in answer to clause (a) state the amounts paid or payable by the corporation and its subsidiaries to the person since the commencement of the last financial year and give particulars; and

(d) with respect to any person named in answer to clause (a) or (b) and their associates or affiliates, give particulars of:

(i) any indebtedness of the person, associate or affiliate to the corporation or its subsidiaries that was outstanding; and

(ii) any transaction or arrangement of the person, associate or affiliate with the corporation or subsidiary;

at any time since the commencement of the corporation's last financial year.

INSTRUCTIONS:

1. *In giving the information called for by this item, it is not necessary to refer to any matter that in all the circumstances is of relative insignificance.*

2. *In giving particulars of indebtedness, state the largest aggregate amount of indebtedness outstanding at any time during the period, the nature of the indebtedness and of the transaction in which it was incurred, the amount of the indebtedness presently outstanding and the rate of interest paid or charged on the indebtedness.*

3. *It is not necessary to include as indebtedness amounts due from the particular person for purchases subject to usual trade terms or for ordinary travel and expense advances and for other like transactions.*

ITEM 11 - PARTICULAR MATTERS TO BE ACTED ON:

If action is to be taken on any matter to be submitted to the meeting of shareholders other than the approval of financial statements, the substance of the matter, or related groups of matters, should be briefly described, except to the extent described pursuant to the foregoing items, in sufficient detail to permit shareholders to form a reasoned judgment concerning the matter. Without limiting the generality of the foregoing, those matters include alterations of share capital, charter amendments, property acquisitions or dispositions, amalgamations, mergers or reorganizations. If a reorganization or similar restructuring is involved, reference must be made to a prospectus form or issuer bid form for guidance as to what is material.

If the matter is one that is not required to be submitted to a vote of shareholders, the reasons for submitting it to shareholders should be given and a statement should be made as to what action is intended to be taken by management in the event of a negative vote by the shareholders.

IT IS AN OFFENCE FOR A PERSON TO MAKE A STATEMENT IN A DOCUMENT REQUIRED TO BE FILED OR FURNISHED PURSUANT TO THE ACT OR THE REGULATIONS THAT, AT THE TIME AND IN THE LIGHT OF THE CIRCUMSTANCES UNDER WHICH IT IS MADE, IS A MISREPRESENTATION.

6 Mar 2009 SR 17/2009 s7.

FORM 34.2

The Business Corporations Act
[Sections 12 and 42.1]

STATEMENT OF EXECUTIVE COMPENSATION

ITEM 1 - GENERAL:

For the purposes of this form “**executive officer**” of a corporation means:

- (a) the chairperson and any vice-chairperson of the board of directors of the corporation, where that person performs the functions of that office on a full-time basis;
- (b) the president;
- (c) any vice-president in charge of a principal business unit including sales, finance or production; and
- (d) any officer of the corporation or of one of its subsidiaries who performs a policy-making function with respect to the corporation, whether or not that officer is also a director of the corporation or the subsidiary.

ITEM 2 - CASH:

- (1) State the number of executive officers of the corporation.
- (2) State the aggregate cash compensation paid to the corporation's executive officers by the corporation and its subsidiaries for services rendered during the most recently completed financial year.
- (3) For the purposes of subsection (2):
 - (a) cash compensation includes salaries, fees (including directors' fees), commissions and bonuses and, in addition to amounts actually paid during and for the most recently completed financial year, cash compensation includes:
 - (i) bonuses to be paid for services rendered during the most recently completed financial year unless those amounts have not been allocated;
 - (ii) bonuses paid during the most recently completed financial year for services rendered in a previous financial year; and
 - (iii) any compensation other than bonuses earned during the most recently completed financial year, the payment of which is deferred;
 - (b) compensation for a period during which an individual was not then an executive officer shall not be included in the determination of cash remuneration of executive officers; and

(c) compensation paid during the most recently completed financial year that was disclosed in a filing of a document complying with the requirements of this form with respect to a financial year other than the most recently completed financial year shall not be included.

(4) At the option of the corporation, the cash compensation figure set out pursuant to subsection (2) may be broken down into categories including salaries, fees, commissions and bonuses.

ITEM 3 - PLANS:

(1) Describe briefly any plan pursuant to which cash or non-cash compensation was paid or distributed to executive officers during the most recently completed financial year or that is proposed to be paid or distributed in a subsequent year and include in the description:

- (a) a summary of how the plan operates;
- (b) the criteria used to determine amounts payable;
- (c) the periods over which the measurement of benefits will be determined;
- (d) payment schedules;
- (e) any recent material amendments to the plan;
- (f) amounts paid or distributed during the most recently completed financial year; and
- (g) amounts accrued for the group during the most recently completed financial year, inasmuch as the distribution or unconditional vesting of same is not subject to future events.

(2) With respect to options to purchase securities granted to executive officers during the most recently completed financial year, set out:

- (a) a summary of how the plan operates;
- (b) the criteria used to determine the number of securities under option;
- (c) the periods over which the measurement of benefits will be determined;
- (d) payment schedules;
- (e) all recent material amendments to the plan;
- (f) the number of securities optioned during the most recently completed financial year;
- (g) the designation and aggregate number of securities under option;
- (h) the average per security exercise price (when options with differing terms are granted, the information should be given for each class or type of option) and when that price is less than the market value of the security underlying the option on the date the option is granted, provide the market price on that date.

(3) With respect to options exercised during the corporation's most recently completed financial year, provide with respect to each class or type of option, in addition to the information prescribed by clauses (2)(a) to (f), the aggregate net value (market value less exercise price at the date of the exercise) of the securities under option.

(4) For the purposes of this Item:

(a) compensation pursuant to a plan is to be taken into account only to the extent that the plan discriminates in scope, terms or operation in favour of executive officers and is not available to all full time employees other than those covered by a collective agreement;

(b) where disclosure of an amount paid or distributed pursuant to a plan is made under clause (1)(f), that amount shall not be included in the cash compensation under Item 2;

(c) amounts paid or distributed that are disclosed under clause (1)(f) shall not include amounts paid or distributed that have been disclosed in a previous filing of a document that is not a prospectus and that complies with the requirements of this form set out in clause (1)(g) as accruing to the group with respect to a financial year other than the most recently completed financial year;

(d) "options" includes all options, share purchase warrants or rights other than those issued to all security holders of the same class or to all security holders of the same class resident in Canada on a *pro rata* basis and an extension of an option shall be deemed to be a granting of an option;

(e) "plan" includes any plan, contract, authorization or arrangement, whether or not set forth in any formal document and may be applicable to only one person, but does not include the Canada Pension Plan or a similar government plan.

ITEM 4 - OTHER:

(1) Describe all other compensation not referred to in Item 2 or 3 that was:

(a) paid during the most recently completed financial year, including personal benefits and securities or property paid or distributed other than pursuant to a plan referred to in Item 3;

(b) not offered on the same terms to all full time employees other than those covered by a collective agreement.

(2) For the purposes of describing other compensation under subsection (1), the value to be given for that compensation shall be the issuer user's and subsidiaries' aggregate incremental cost.

(3) For the purposes of subsection (2), "incremental cost" is the cost to the corporation or subsidiary of conferring a benefit on an individual where that cost would not be otherwise incurred by the issuer if the benefit were not so conferred.

(4) When the aggregate value of the compensation disclosed under subsection (1) does not exceed the lesser of \$10,000 times the number of persons in the group or 10% of the compensation stated under item 2, it is necessary to declare that fact only and, in the discretion of the Director, the \$10,000 threshold may be increased to \$25,000.

ITEM 5 - TERMINATION OF EMPLOYMENT OR CHANGE OF CONTROL:

Describe any plan or arrangement with respect to compensation received or that may be received by executive officers in the corporation's most recently completed or current financial year in view of compensating those officers in the event of the termination of employment (resignation, retirement, change of control) or in the event of a change in responsibilities following a change in control, where, with respect to an executive officer, the value of that compensation exceeds \$60,000.

ITEM 6 - COMPENSATION OF DIRECTORS:

(1) Describe:

(a) any standard arrangements, stating amounts, pursuant to which directors are compensated by the corporation for their services in their capacity as directors, including any additional amounts payable for committee participation or special assignments; and

(b) any other arrangements, stating amounts, in addition to or in lieu of any standard arrangement, pursuant to which directors were compensated by the corporation in their capacity as directors during the most recently completed financial year.

(2) Where compensation is in non-cash form, state the value of the benefit conferred, or if it is not possible to state the value, describe the benefit conferred.

6 Mar 2009 SR 17/2009 s7.

FORM 35**Certificate of Cancellation of Alternate Name**

Repealed. 29 Oct 99 SR 72/1999 s23.

The Coroners Regulations, 2000

being

Chapter C-38.01 Reg 1 (effective June 1, 2000) as amended by Saskatchewan Regulations 55/2002, 120/2005, an Errata notice published in the Gazette January 20, 2006, and SR 24/2008, 32/2009 and 50/2009.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER C-38.01 REG 1

The Coroners Act, 1999

Title

- 1 These regulations may be cited as *The Coroners Regulations, 2000*.

Interpretation

- 2 In these regulations, “Act” means *The Coroners Act, 1999*.

9 Jne 2000 cC-38.01 Reg 1 s2.

Non-application of regulations

- 2.1 These regulations do not apply to a coroner or a pathologist who is an employee of the Office of the Chief Coroner.

18 Apr 2008 SR 24/2008 s3.

Coroners fees

- 3(1) The fee payable to a coroner:

- (a) for conducting an investigation and making a report:
 - (i) is \$135 for the first two hours; and
 - (ii) for each hour in excess of two hours, is \$25; and
 - (b) for holding an inquest, including preparing a report and completing documents, is \$100 for each hour up to a maximum of \$800 per day.
- (2) If a coroner conducts an investigation pursuant to clause (1)(a), and subsequently attends an inquest respecting the same matter, the fee payable to the coroner for attending the inquest is \$25 per hour.

18 Apr 2008 SR 24/2008 s4.

Fees for a coroner in training

- 3.1(1) In this section, “**coroner in training**” means a person appointed as a coroner by the minister pursuant to section 5 of the Act but who has not been authorized by the chief coroner to conduct an investigation.

- (2) The fee payable to a coroner in training is \$25 for each hour for attending an investigation.

18 Apr 2008 SR 24/2008 s4.

Training allowance

- 3.2 A coroner who attends a training session at the request of or with the permission of the chief coroner is entitled to be paid:

- (a) \$50 per day, prorated to the nearest half day, for the duration of the training session;
- (b) transportation costs in an amount determined pursuant to clauses 7(a) and (b); and
- (c) subsistence costs in an amount determined pursuant to clauses 8(a) and (b).

18 Apr 2008 SR 24/2008 s4.

Fee re post-mortem examination and report

4(1) In this section and section 5:

- (a) **“complete post-mortem examination”** includes:
 - (i) an external examination of a body, including:
 - (A) the inspection of the clad and unclad body;
 - (B) documentation of general features and characteristics of the body; and
 - (C) documentation of any evidence of disease or injury;
 - (ii) the incising and opening of the thoracic cavity, the abdominopelvic cavity, the cranial cavity and the neck;
 - (iii) an inspection and dissection of the contents of the thoracic cavity, the abdominopelvic cavity, the cranial cavity and the neck; and
 - (iv) the retrieval of specimens for histological, microscopic and toxicological examination;
 - (b) **“external post-mortem examination”** means the external examination of a body, including:
 - (i) the inspection of the clad and unclad body;
 - (ii) documentation of general features and characteristics of the body;
 - (iii) documentation of any evidence of disease or injury; and
 - (iv) the retrieval of specimens for toxicological examination;
 - (c) **“report”** means a report of the findings and includes an opinion concerning the cause of death.
- (2) Subject to subsection (3), the fee payable for a complete post-mortem examination and report conducted by a duly qualified medical pathologist is:
- (a) \$1,000, if the complete post-mortem examination was begun on or after April 1, 2008 and before April 1, 2009; and
 - (b) \$1,100, if the complete post-mortem examination was begun on or after April 1, 2009.
- (3) If the chief coroner has designated a deceased person's death as suspicious, and a complete post-mortem examination mentioned in subsection (2) is conducted on that person's body, the fee payable is:
- (a) \$1,450, if the complete post-mortem examination was begun on or after April 1, 2008 and before April 1, 2010; and
 - (b) \$1,500, if the complete post-mortem examination was begun on or after April 1, 2010.
- (4) The fee payable for an external post-mortem examination and report conducted by a duly qualified medical pathologist is \$250 if the external post-mortem examination was begun on or after April 1, 2008.
- (5) The fee payable for a report based on an external post-mortem examination or a complete post-mortem examination begun on or before March 31, 2008 is to be determined in accordance with section 4, as that section existed immediately before the coming into force of this section.

Fees for use of facility**5(1)** The fee payable:

- (a) for the use of a room in a hospital for a complete post-mortem examination or an external post-mortem examination is \$20;
 - (b) for the use of a room in a facility other than a hospital for a complete post-mortem examination or an external post-mortem examination is \$55; and
 - (c) for the use of a room in any facility for holding a body temporarily, if the complete post-mortem examination or the external post-mortem examination, as the case may be, is not being conducted in that facility, is \$25 for the first day and \$5 for each subsequent day.
- (2) The fee payable pursuant to clause (1)(c) for use of a room on or before December 31, 2008 is to be determined in accordance with clause 5(c), as that clause existed immediately before the coming into force of this subsection.

3 Apr 2009 SR 32/2009 s4; 22 May 2009
SR 50/2009 s3.

Fees re collection of blood

5.1(1) Subject to subsection (2), the fee payable to a person authorized by the chief coroner to collect blood from a body is \$50.

(2) The fee payable pursuant to subsection (1) is not payable to a pathologist who has been paid a fee pursuant to section 4.

18 Apr 2008 SR 24/2008 s5.

Fees for witnesses, jurors, medical practitioners and professional persons**6** The fee payable:

- (a) to a witness or juror for each day that the witness or juror is absent from his or her residence attending an inquest is \$15;
- (b) to a pathologist or medical practitioner required to give evidence at an inquest is the amount prescribed in Table 6 of the Appendix to *The Queen's Bench Regulations*; and
- (c) to a professional person, other than a person mentioned in clause (b), required to give evidence at an inquest as a result of professional services rendered by the professional person is \$52.50 for each half day.

9 Jne 2000 cC-38.01 Reg 1 s6.

Transportation costs

7 The amount payable for transportation costs incurred by a coroner, juror, witness, interpreter or any other person required to travel in connection with an investigation or inquest:

- (a) where he or she uses commercial transportation, is the amount of the actual fare paid, where supported by receipts; or
- (b) where he or she uses his or her personal vehicle, is the rate currently payable in accordance with the tariff of travel expenses approved pursuant to *The Public Service Act, 1998* for employees of the public service.

9 Jne 2000 cC-38.01 Reg 1 s7.

Subsistence costs

8 The amount payable for subsistence for a coroner, juror, witness or other person required to be absent from his or her residence in connection with an investigation or inquest:

- (a) for hotel or motel accommodation, is the actual and reasonable amount paid where supported by receipts; and
- (b) for expenses, other than those mentioned in clause (a), is the rate currently payable in accordance with the tariff of sustenance expenses approved pursuant to *The Public Service Act, 1998* for employees of the public service.

9 Jne 2000 cC-38.01 Reg 1 s8.

Transportation services

9(1) In this section, “**ambulance operator**” means an operator as defined in *The Ambulance Act*.

(2) Subject to subsection (8), on or after January 1, 2009 the amount payable for removal and transportation of a body by motor vehicle, if the service is provided by an ambulance operator, is:

- (a) the amount prescribed by the regional health authority for the health region where the transportation took place; and
- (b) \$50, for the cost of a body bag or other container for the body, unless the chief coroner approves a higher amount.

(3) Subject to subsection (8), the amount payable for removal and transportation of a body by motor vehicle, if the service is not provided by an ambulance operator:

- (a) for removal and transportation from the scene of death to a hospital or to a holding facility as authorized by a coroner, is:

- (i) in the case of removal and transportation on or after January 1, 2009 and on or before March 31, 2011, \$300 and 2.5 times the per kilometre rate paid to members of the public service for travel expenses;

- (ii) in the case of removal and transportation on or after April 1, 2011, \$325 and 2.5 times the per kilometre rate paid to members of the public service for travel expenses; and

- (iii) \$50 for the cost of a body bag or other container for the body on or after January 1, 2009, unless the chief coroner approves a higher amount; and

- (b) for transportation on or after January 1, 2009 from a hospital or holding facility to a place authorized by a coroner, is \$125 and 2.5 times the per kilometre rate paid to members of the public service for travel expenses.

- (4) If the removal and transportation of a body in the circumstances set out in subsection (2) or (3) requires more than two persons, on the approval of the chief coroner, an additional \$50 may be paid for each person required to assist in the removal and transportation, not including the first two persons.
- (5) On or after January 1, 2009, the amount payable for transportation of a body other than by motor vehicle is:
- (a) the actual cost of the service or the amount the chief coroner considers reasonable for the service; and
 - (b) \$50 for the cost of a body bag or other container for the body, unless the chief coroner approves a higher amount.
- (6) On or after January 1, 2009, if waiting is required when transporting a body, the amount payable to the ambulance operator or other person who provides the transportation service:
- (a) in the case of waiting at the scene of a death, is \$40 for each hour of waiting, prorated to the nearest half hour, with no amount payable for the first half hour; or
 - (b) in the case of waiting at a hospital or other facility while a post-mortem examination is conducted on a body, is \$40 for each hour of waiting, prorated to the nearest half hour.
- (7) Notwithstanding subsection (6), no person involved in transporting a body shall charge for applicable waiting time more than once regardless of the number of bodies transported at the same time.
- (8) On or after January 1, 2009, if more than one body is transported in the same motor vehicle, the amount payable for each additional body transported is:
- (a) \$50; and
 - (b) \$50, for the cost of a body bag or other container for the body, unless the chief coroner approves a higher amount.
- (9) The fees payable for the removal and transportation of a body on or before December 31, 2008 are to be determined in accordance with section 9, as that section existed immediately before the coming into force of this section.

22 May 2009 RS 50/2009 s4.

Special cases

10 The minister may authorize any further fees or payments that the minister considers reasonable respecting services required and provided in the administration of the Act.

9 Jne 2000 cC-38.01 Reg 1 s10.

11 Repealed. 12 Jly 2002 SR 55/2002 s2.

Juries

12(1) Where, in the opinion of the chief coroner, the circumstances surrounding the death require the jury to be composed, wholly or in part, of persons of Aboriginal ancestry, the chief coroner may:

(a) request from the person in charge of the register maintained pursuant to subsection 11(1) of *The Saskatchewan Medical Care Insurance Act* a list of names and addresses, in the number specified by the coroner, of persons who are:

- (i) registered Indians pursuant to the *Indian Act* (Canada); and
- (ii) members of an Indian band within the geographical area indicated in the request; or

(b) request from the Indian band or bands in the geographical area specified by the coroner a list of names and addresses of band members in the number specified by the coroner selected from the band list by a method determined by the chief coroner.

(2) Where the chief coroner makes a request pursuant to clause (1)(a), subsections 27(3) to (6) of the Act apply.

(3) Where the chief coroner makes a request pursuant to clause (1)(b), subsections 27(4) to (6) of the Act apply.

9 Jne 2000 cC-38.01 Reg 1 s12.

Forms

13(1) A notification of death pursuant to section 7, 8, 9 or 10 of the Act is to be in Form A of the Appendix.

(2) A warrant to take possession of a body pursuant to clause 11(1)(a) of the Act is to be in Form B of the Appendix.

(3) A warrant pursuant to subsection 14(1) of the Act requiring a post-mortem examination or other examination or analysis is to be in Form C of the Appendix.

(4) A report of a coroner pursuant to clause 17(a) of the Act is to be in Form D of the Appendix.

(5) An order directing an inquest pursuant to section 21 of the Act is to be in Form E of the Appendix.

(6) A summons to an inquest witness pursuant to subsection 41(1) of the Act is to be in Form F of the Appendix.

(7) An order to a witness pursuant to subsection 41(3) of the Act who is confined to a place mentioned in subsection 8(1), (2) or (4) of the Act is to be in Form G of the Appendix.

(8) A warrant pursuant to section 42 of the Act for a witness who fails to appear is to be in Form H of the Appendix.

(9) A jury report prepared pursuant to section 54 of the Act is to be in Form I of the Appendix.

9 Jne 2000 cC-38.01 Reg 1 s13.

R.R.S. c.C-38 Reg 1 repealed

14 *The Coroners Regulations* are repealed.

9 Jne 2000 cC-38.01 Reg 1 s14.

Coming into force

15(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Coroners Act, 1999* comes into force.

(2) If these regulations are filed with the Registrar of Regulations after the day on which section 1 of *The Coroners Act, 1999* comes into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

9 Jne 2000 cC-38.01 Reg 1 s15.



Saskatchewan Justice

Form A

Notification of Death
(Sections 7 to 10 of The Coroners Act)

Name of Deceased _____
(Please Print) (Surname) (Given Names)

Date of Birth: _____ Date of Death: _____ Place of Death: _____

If decedent is 20 years or under, Parent(s) Name: _____
Parent(s) Address: _____

Under care of Social Services: Yes ☐; No ☐; Unknown ☐

North American Indian: Yes ☐ (this includes non-status);

Band and/or Treaty Number: _____

Métis: Yes ☐; Inuit: Yes ☐; Asian: Yes ☐; Caucasian: Yes ☐

Admitted or Detained pursuant to *The Mental Health Services Act*: Yes ☐; No ☐; Unknown ☐

Post-mortem Ordered: Yes ☐; No ☐; If yes indicate hospital: _____

Registration of Death completed: Yes ☐; No ☐

Inquest Recommended: Yes ☐; No ☐; Undecided ☐

Briefly Describe Circumstances of Death:

Name of Transportation Service When Provided at Coroner's Direction:

Coroner: _____
(Print Name) (Signature)

This form must be completed and forwarded to the Coroners Branch of the Department of Justice
or faxed to (306) 787-5503 within 48 hours of becoming aware of the death.



Saskatchewan Justice

Form B

Warrant to Take Possession of a Body*(Clause 11(1)(a) of The Coroners Act)*

TO _____
 of _____, Saskatchewan, a peace officer in Saskatchewan,
 and all other peace officers in Saskatchewan.

I, _____, a Coroner for Saskatchewan,
 have reason to believe that _____ died under circumstances
 that require investigation, and I am required to conduct an investigation into the circumstances surrounding the death and
 the manner and cause of death of _____.

I order you to cause the body of _____ to be taken into
 your custody, or the custody of any other peace officer in Saskatchewan, so that I may conduct the investigation.

DATED this _____ day of _____, _____.

 A Coroner for Saskatchewan



Saskatchewan Justice

Form C

Warrant for Post-mortem or Other Examination
(Subsection 14(1) of The Coroners Act)

TO _____

I, _____, _____
(Please Print) (Surname) (Given Name)

a Coroner for Saskatchewan, direct you to make a post-mortem examination and analysis of the body of

_____, _____
(Surname) (Given Name)and: Estimation of date of death: Yes ☐ No ☐; General toxicology: Yes ☐ No ☐;Special toxicology for: _____; Blood alcohol: Yes ☐ No ☐

Other: _____

and to report the results to me in writing.

DATED this _____ day of _____

A Coroner for Saskatchewan_____
Coroner's Phone NumberBriefly Describe Circumstances of Death:Information about the Decedent:

Date of birth: _____ Estimate of date of death: _____

Saskatchewan PHN: _____



Saskatchewan Justice

Form D

Report of Coroner When Inquest Not Necessary
(Clause 17(a) of The Coroners Act)

I, _____, a Coroner for
Saskatchewan, residing at _____, Saskatchewan, report
that, after an investigation by me, I am of the opinion that
_____, (date of birth: _____)
of _____ in _____ came to his/her
death on the _____ day of _____ at _____
of _____ by the following means:

Medical Cause of Death: _____

Manner of Death: _____
(Natural, Accidental, Suicide, Homicide or Undetermined)

Circumstances:

After this investigation I am of the opinion that a public inquest is not necessary and I have completed the required
Registration of Death and have permitted the disposition of the body of

DATED at _____, this _____ day of _____, _____

Signature of Coroner



Saskatchewan Justice

Form E

Order Directing Inquest
(Section 21 of *The Coroners Act*)

I, _____, Minister
of Justice and Attorney General for Saskatchewan, pursuant to the power vested in my by *The Coroners Act, 1999*,
do hereby direct _____ of _____, Saskatchewan, being
the Chief Coroner or a Coroner for Saskatchewan, to hold an inquest pursuant to *The Coroners Act, 1999* into the death
of _____, late
of _____, who died at _____, Saskatchewan, on or about
the _____ day of _____, _____.

DATED at Regina, Saskatchewan, this _____ day of _____, _____.

Minister of Justice and Attorney General for Saskatchewan



Saskatchewan Justice

Form F

Summons to Inquest Witness
(Subsection 41(1) of The Coroners Act)

To _____

You are summoned to appear before me on _____ the _____ day

of _____, at _____ a.m./p.m.

at _____, Saskatchewan

to give evidence at the inquest into the death of _____

DATED this _____ day of _____

Please bring with you all records and documents in your
control relating to the death of

A Coroner for Saskatchewan



Saskatchewan Justice

Form G

Order Requiring Attendance of a Confined Witness
(Subsection 41(3) of The Coroners Act)

To _____ of _____

WHEREAS _____ is required as a
 witness to attend an inquest into the death of _____
 to be held on the _____ day of _____, at _____
 Saskatchewan commencing at _____;

WHEREAS I am informed that _____ is confined
 at _____;

I THEREFORE DIRECT you to deliver him/her to a peace officer so that he/she may be brought before the presiding
 Coroner to testify at the inquest.

I FURTHER DIRECT the peace officer to whom custody of the said _____
 is given to provide for safe keeping of him/her and to have him/her available as a witness at the inquest into the death
 of _____ at the time and place stated,
 and to return him/her to the custody of _____
 at _____ after he/she is no longer required as a witness.

DATED this _____ day of _____, at _____, Saskatchewan.

 A Coroner for Saskatchewan



Saskatchewan Justice

Form H

Warrant for Witness Who Fails to Appear
 (Section 42 of The Coroners Act)

To peace officers in Saskatchewan:

WHEREAS _____
 was summoned as a _____ to appear at an inquest into
 the death of _____,
 AND _____ failed to appear as required by the summons;
 THIS IS TO COMMAND YOU to arrest
 _____ and bring
 _____ to the inquest
 at _____, Saskatchewan.

DATED this _____ day of _____, _____, at _____, Saskatchewan.

 A Coroner for Saskatchewan



Saskatchewan Justice

Form 1

Jury Report

(Section 54 of The Coroners Act)

We, (Please Print)

_____ of _____
 _____ of _____
 _____ of _____
 _____ of _____
 _____ of _____
 _____ of _____

having been sworn as the jury to inquire into the death of a person identified as

_____,
 at an inquest held at _____, Saskatchewan
 on the _____ day of _____, determined the following:

1. Name of deceased: _____
2. Date and time of death: _____
3. Place of death: _____
4. Cause of death: _____
5. By what means: _____

In the interest of avoiding similar deaths in the future we recommend the following:

(Signature of Jury Member)

(Signature of Jury Member)

(Signature of Jury Member)

(Signature of Jury Member)

(Signature of Jury Member)

(Signature of Jury Member)

This report was received by me this _____ day of _____

A Coroner for Saskatchewan

9 Jun 2000 cC-38.01 Reg 1.

The Crop Insurance Regulations

being

Chapter C-47.2 Reg 1 (effective December 5, 1984) as amended by Saskatchewan Regulations 63/85, 121/85, 76/86, 8/87, 25/88, 81/92, 8/94, 33/94, 12/96, 4/97, 17/98, 90/98, 50/1999, 67/1999, 68/1999, 12/2000, 18/2001, 26/2002, 34/2002, 18/2003, 28/2003, 7/2004, 25/2005, 20/2006, 17/2007, 10/2008 and 21/2009.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER C-47.2 REG 1

The Crop Insurance Act

Title

- 1** These regulations may be cited as *The Crop Insurance Regulations*.

Interpretation

- 2** In these regulations:

- (a) **"Act"** means *The Crop Insurance Act*;
- (b) **"establishment benefit"** means an acreage payment provided as an extension to coverage under a contract of crop insurance on acreage of insured spring-seeded or fall-seeded annual crops or legumes or perennial grasses or annual cereal crops grown for harvested fodder production that fails to establish following seeding due to one or more of the perils designated under 'crop insurance' pursuant to clause 2(d) of the Act;
- (c) **"harvest"** means the threshing of grain;
- (d) **"individual coverage"** means coverage that is based on the long-term average yield of the applicant or the insured, as the case may be, for the crop concerned, as determined by the corporation;
- (e) **"insured acreage"** means acreage seeded to each insurable crop as reported by the insured in the seeded acreage report;
- (e.1) **"large-seeded Kabuli chickpeas"** means varieties of Kabuli chickpeas that meet the minimum seed weight requirement as determined by the corporation;
- (e.2) **"lentils (large green)"** means varieties of lentils that:
 - (i) have a green seed coat and a yellow cotyledon; and
 - (ii) meet the minimum seed weight requirement as determined by the corporation;
- (e.3) **"lentils (other)"** means varieties of lentils that do not meet the requirements to be classed as lentils (large green) or lentils (red);
- (e.4) **"lentils (red)"** means varieties of lentils that have a red cotyledon;
- (f) **"new crop"** means any of the following:
 - (i) **Repealed.** 14 Mar 2008 SR 10/2008 s3.
 - (ii) caraway;
 - (iii) coriander;
 - (iv) non-irrigated dry beans (pinto);
 - (v) non-irrigated dry beans (black);
 - (vi) Khorasan wheat;

- (vii) timothy hay;
- (viii) any crop insured pursuant to the vegetable acreage loss option mentioned in section 11.94;
- (ix) wild rice;
- (g) **“seeded acreage report”** means a seeded acreage report prepared pursuant to section 6 and includes any amendments to that report filed by the insured with the corporation;
- (g.1) **“small-seeded Kabuli chickpeas”** means varieties of Kabuli chickpeas that do not meet the minimum seed weight requirement to be classed as large-seeded Kabuli chickpeas;
- (g.2) **“unit price option”** means the insured’s election pursuant to section 10.1 of the base price, variable price, in-season price, contract price or low price per kilogram or per tonne for a particular crop as determined by the corporation;
- (h) **“unseeded acreage insurance”** means coverage provided for the purpose of guaranteeing a return from acreage intended for seeding, determined on the basis of the insured’s historical seeding pattern, but that remains unseeded and is still too wet to seed on June 20 in any year as a result of excessive spring moisture, but the coverage does not apply to acreage that is dry enough to seed but is inaccessible because of spring moisture conditions.

24 Dec 98 SR 90/98 s2; 6 Apr 2001 SR 18/2001 s3; 28 Mar 2002 SR 26/2002 s3; 19 Apr 2002 SR 34/2002 s3; 25 Apr 2003 SR 28/2003 s3; 1 Apr 2005 SR 25/2005 s3; 30 Mar 2007 SR 17/2007 s3; 14 Mar 2008 SR 10/2008 s3; 27 Mar 2009 SR 21/2009 s3.

Interpretation, Act

3(1) For the purposes of clause 2(g) of the Act, **“insurable crop”** includes:

- (a) hard red spring wheat, durum wheat, extra strong red spring wheat, Canada prairie spring wheat, winter wheat, barley, oats, spring rye, fall rye, flax, canola, brown mustard, oriental mustard, yellow mustard, sunflowers, field peas, lentils (large green), lentils (red), lentils (other), potatoes, irrigated dry beans (pinto), irrigated dry beans (black), irrigated dry beans (other), desi chickpeas, small-seeded Kabuli chickpeas, large-seeded Kabuli chickpeas, fababeans, canary seed, triticale, hard white spring wheat, identity preserved canola, alfalfa seed;
- (b) any of the following, when grown for harvested fodder production:
 - (i) alfalfa;
 - (ii) dehydrated alfalfa;
 - (iii) alfalfa-grass mixtures;
 - (iv) perennial grasses;
 - (v) sweet clover;
 - (vi) annual cereal crops; and
- (c) any new crop.

(2) For the purposes of clause 2(h) of the Act, “**operator of a farm**” means the person who is actively engaged in the production of the insured crop and who is legally, operationally and financially independent of all other insured persons.

(3) In determining whether a person is legally independent for the purposes of subsection (2), the corporation may consider whether that person has access as of right to the land on which the insured crop is grown, by virtue of ownership, rental agreement or formal farm operating agreement.

(4) In determining whether a person is operationally independent for the purposes of subsection (2), the corporation may consider the following factors:

- (a) whether the person makes critical farming decisions respecting the insured crop;
- (b) whether the person is responsible to ensure that day-to-day operations are completed respecting the insured crop;
- (c) whether the person has access to separate storage facilities;
- (d) whether the person has access to adequate machinery.

(5) In determining whether a person is financially independent for the purposes of subsection (2), the corporation may consider the following factors:

- (a) whether the person is able to file separate income and expense statements for income tax purposes;
- (b) whether the person maintains separate farm accounting records;
- (c) whether the person maintains a separate bank, credit union or trust company account;
- (d) whether the person has a separate Goods and Services Tax number;
- (e) whether the person has a financial interest in the insured crop.

14 Dec 84 cC-47.2 Reg 1 s3; 12 Jly 85 SR 63/85 s4; 27 Dec 85 SR 121/85 s3; 4 Sep 92 SR 81/92 s4; 4 Feb 94 SR 8/94 s2; 19 Apr 96 SR 12/96 s3; 31 Jan 97 SR 4/97 s4; 27 Feb 98 SR 17/98 s4; 24 Dec 98 SR 90/98 s4; 6 Apr 2001 SR 18/2001 s4; 19 Apr 2002 SR 34/2002 s4; 24 Mar 2006 SR 20/2006 s3; 30 Mar 2007 SR 17/2007 s4; 14 Mar 2008 SR 10/2008 s4

Form of contract

4 Every contract of crop insurance made pursuant to the Act is to be in Form A of the Appendix and is subject to the Act and these regulations.

14 Dec 84 cC-47.2 Reg 1 s4; 30 Mar 2007 SR 17/2007 s5.

Application

5 Every application for insurance pursuant to the Act is to be in the form provided by the corporation.

4 Sep 92 SR 81/92 s5.

Acreage reports

6 Every applicant or insured, as the case may be, shall file with the corporation in the form prescribed by the corporation:

(a) on or before June 25 or a date set by the corporation in each year, a seeded acreage report declaring:

(i) the insured crops seeded in which the applicant or insured has an interest;

(ii) the total acres seeded to each insured crop in which the applicant or insured has an interest at the time of seeding, and the number of acres seeded on summerfallow, stubble or irrigated acres;

(iii) total acres in summerfallow;

(iv) an estimate of all production of insured crops in storage in the current year;

(v) total acres seeded to crops that are not insured crops; and

(vi) any other relevant information the corporation may require respecting the matters mentioned in subclauses (i) to (v);

(b) **Repealed.** 31 Jan 97 SR 4/97 s5.

(c) **Repealed.** 4 Sep 92 SR 81/92 s6.

14 Dec 84 cC-47.2 Reg 1 s6; 12 Jly 85 SR 63/85 s6; 20 Feb 87 SR 8/87 s4; 4 Sep 92 SR 81/92 s6; 15 Apr 94 SR 33/94 s3; 19 Apr 96 SR 12/96 s4; 31 Jan 97 SR 4/97 s5.

Cancellation

7(1) Where an insured has given notice of cancellation of his contract, an application for reinstatement is to be in the form prescribed by the corporation and is to be filed within a period specified by the corporation.

(2) Where the corporation accepts an application for reinstatement pursuant to subsection (1), the insured is eligible for any discounts or adjustments to which he would have been entitled had he not submitted notice of cancellation.

14 Dec 84 cC-47.2 Reg 1 s7.

Reinstatement of cancelled contract

7.1(1) Subject to subsection (3), where an applicant for crop insurance:

- (a) either:
 - (i) is, in the opinion of the corporation, a part of the same farm operation as a previous insured whose previous contract was cancelled; or
 - (ii) had a previous contract that was cancelled; and
- (b) applies for crop insurance within three years of the day that the previous contract mentioned in clause (a) was cancelled;

the application is deemed to be an application for reinstatement of the previous contract.

(2) Where the corporation accepts an application pursuant to subsection (1), the applicant, on reinstatement of the previous contract, will receive any discounts, surcharges or adjustments that were associated with the previous contract at the time it was cancelled.

(3) An application for crop insurance shall not be deemed an application for reinstatement of a previous contract if no acres were insured under the previous contract for the three years preceding the year in which the contract was cancelled.

13 May 88 SR 25/88 s3; 31 Jan 97 SR 4/97 s6;
24 Dec 98 SR 90/98 s5.

Change in insurance terms

8(1) During the term of a contract, the insured may, in the form required by the corporation and within the period specified by the corporation, change:

- (a) the selection of crops insured:
 - (i) for pedigreed production;
 - (ii) for organic production;
 - (iii) for commercial production;
 - (iv) for irrigated production; or
 - (v) in the case of tame legumes and perennial grasses, for hay or forage production;
- (b) the percentage of average yield;
- (b.1) **Repealed.** 28 Mar 2002 SR 26/2002 s4.
- (c) any election made pursuant to section 10.1, 10.2, 11.3, 11.6 or 11.95.

(2) Any election made pursuant to these regulations remains in force for each subsequent year unless the insured changes the election in accordance with subsection (1).

31 Jan 97 SR 4/97 s7; 24 Dec 98 SR 90/98 s6; 17 Mar 2000 SR 12/2000 s3; 28 Mar 2002 SR 26/2002 s4; 25 Apr 2003 SR 28/2003 s4; 30 Mar 2007 SR 17/2007 s6; 14 Mar 2008 SR 10/2008 s5.

Insured acreage

9(1) Subject to subsection (2), the insured acreage of each insured crop is to be determined on the basis of the acreage seeded to each insured crop as reported by the insured in the seeded acreage report.

(2) Where the insured files a claim for indemnity after filing his seeded acreage report, the insured acreage of each insured crop is deemed to be the lesser of the insured acreage as determined in:

- (a) the seeded acreage report; and
- (b) the post-harvest report made pursuant to section 26.

(3) Where the applicant or the insured, as the case may be, fails to file a seeded acreage report, the corporation may:

(a) determine the insured acreage on behalf of the insured for the purposes of determining coverage under this contract, in which case the determination shall be binding on the insured and the insured shall pay a premium calculated on that insured acreage determined by the corporation together with any penalties the corporation may assess to the insured; or

(b) declare the insured acreage to be zero for the purposes of determining the coverage under this contract, in which case the determination shall be binding on the insured and the corporation may assess a penalty to the insured in any amount that the corporation may in its discretion determine, having regard for the premium payment that would have been payable by the insured had a seeded acreage report, been filed, and in that event the insured shall make payment of the penalty as prescribed by the corporation, including interest on any delinquent payments;

14 Dec 84 cC-47.2 Reg 1 s9; 12 Jly 85 SR 63/85
s7; 4 Sep 92 SR 81/92 s7; 31 Jan 97 SR 4/97 s8.

9.1 Repealed. 4 Sep 92 SR 81/92 s8.**Coverage not more than 80%**

10(1) Subject to subsection (1.1), the total coverage or guaranteed production in kilograms or in tonnes per acre for each insurable crop is not more than 80% of the average yield for a period of years as established from time to time by the corporation.

(1.1) The total coverage or guaranteed production, in kilograms or in tonnes per acre for each insurable crop covered by section 11.92, is not more than 90% of the average yield for a period of years as established from time to time by the corporation.

(2) The total coverage or guaranteed production in kilograms or in tonnes for each insured crop is an amount equal to the product of the coverage per acre as determined pursuant to subsection (1) and the acres seeded to each insured crop as determined pursuant to section 9.

14 Dec 84 cC-47.2 Reg 1 s10; 18 Jly 86 SR 76/86
s4; 19 Apr 96 SR 12/96 s5; 1 Apr 2005 SR 25/
2005 s4.

Unit Price Option Election

10.1 The insured must, in the form required by the corporation and within the period specified by the corporation, elect the base price, variable price, in-season price, contract price or low price for each crop.

25 Apr 2003 SR 28/2003 s5; 30 Mar 2007 SR 17/2007 s7; 27 Mar 2009 SR 21/2009 s4.

Election for separate coverage on irrigated and non-irrigated acres

10.2(1) The insured may elect to insure irrigated acres of an insured crop separately from acres seeded on summerfallow and stubble of the same insured crop.

(2) An insured making an election pursuant to subsection (1) shall pay any additional premium determined by the corporation on all acres of the insured crop.

(3) The insured shall make an election pursuant to subsection (1) on or before March 31 in each year.

14 Mar 2008 SR 10/2008 s6.

Coverage

11 Subject to sections 11.2 and 11.3, the total coverage in dollars is an amount equal to the product of:

- (a) the guaranteed production or total coverage in kilograms or tonnes for each insured crop; and
- (b) the unit price option for the particular crop grown:
 - (i) in the case of tame legumes and perennial grasses, for production of hay or forage; or
 - (ii) in the case of insured crops other than those mentioned in sub-clause (i), for commercial, organic or pedigreed seed.

14 Dec 84 cC-47.2 Reg 1 s11; 12 Jly 85 SR 63/85 s8; 27 Dec 85 SR 121/85 s5; 20 Feb 87 SR 8/87 s5; 31 Jan 97 SR 4/97 s9; 27 Feb 98 SR 17/98 s5; 17 Mar 2000 SR 12/2000 s4; 28 Mar 2002 SR 26/2002 s5; 25 Apr 2003 SR 28/2003 s6.

11.1 Repealed. 19 Apr 96 SR 12/96 s6.**Total coverage for unseeded acreage**

11.2(1) The corporation may determine from time to time the premium payable for unseeded acreage insurance.

(2) Subject to subsection (4), the indemnity in dollars payable by the corporation to the insured with respect to unseeded acreage insurance is the amount I_1 calculated in accordance with the following formula:

$$I_1 = [EA - (SA + UA)] \times \Pi \times \$50$$

where:

EA is the insured's eligible acres calculated in accordance with subsection (3);

SA is the insured's seeded acres;

UA is the insured's unseeded acres that, in the opinion of the corporation, were dry enough to seed on or before June 20; and

II is the insured's insurance intensity, being the percentage of seeded acres insured by the insured in any crop year, determined on the basis of the insured's historical pattern of insuring crops.

- (3) For the purposes of subsection (2), the insured's eligible acres is equal to the amount EA calculated in accordance with the following formula:

$$EA = [CA \times SI] - [LCA \times SI \times 5\%]$$

where:

CA is the number of the insured's cultivated acres available for crop production in the current year;

SI is the insured's seeding intensity, being the percentage of cultivated acres seeded by the insured in any crop year, determined on the basis of the insured's historical seeding pattern; and

LCA is the sum of the insured's cultivated acres available for crop production for each legal land description on which there are acres that the insured is unable to seed on or before June 20 in the current year because of excessive spring moisture.

- (4) Subject to subsection (6), if an insured is unable to seed all of his or her summerfallow acres on or before June 20 in any year due to excessive spring moisture, the indemnity in dollars payable by the corporation to the insured with respect to unseeded acreage insurance is the greater of:

- (a) the amount I_1 determined pursuant to subsection (2); and
- (b) the amount I_2 calculated in accordance with the following formula:

$$I_2 = [ESA - (SSA + USA)] \times II \times \$50$$

where:

ESA is the insured's eligible summerfallow acres calculated in accordance with subsection (5);

SSA is the insured's seeded summerfallow acres;

USA is the insured's unseeded summerfallow acres that, in the opinion of the corporation, were dry enough to seed on or before June 20; and

II is the insured's insurance intensity, being the percentage of seeded acres insured by the insured in any crop year, determined on the basis of the insured's historical pattern of insuring crops.

- (5) For the purposes of subsection (4), the insured's eligible summerfallow acres is equal to the amount ESA calculated in accordance with the following formula:

$$ESA = SFA - (LSA \times 5\%)$$

where:

SFA is the insured's summerfallow acres available for crop production in the current year;

LSA is the sum of the insured's summerfallow acres available for all legal land descriptions on which there are summerfallow acres that the insured is unable to seed on or before June 20 in the current year because of excessive spring moisture.

- (6) The total number of summerfallow acres on which unseeded acreage insurance is payable pursuant to subsection (4) shall not exceed the insured's eligible acres calculated in accordance with subsection (3).

24 Dec 98 SR 90/98 s7; 3 Sep 99 SR 67/1999 s3;
17 Mar 2000 SR 12/2000 s5; 30 Mar 2007
SR 17/2007 s8.

Establishment benefit

11.3(1) The corporation may determine from time to time the premium payable and the indemnity payable for the establishment benefit for perennial grasses, alfalfa, alfalfa-grass mixtures, native forage, sweet clover, annual cereal crops grown for harvested fodder production, spring-seeded annual crops and fall-seeded annual crops.

- (2) In the case of native forage crops, only applicants or insureds who meet the criteria determined by the corporation are eligible to participate in the establishment benefit program for those crops.

(3) The establishment benefit for alfalfa, alfalfa-grass mixtures, native forage, sweet clover, annual cereal crops grown for harvested fodder production and perennial grasses is additional coverage.

- (4) An applicant or insured who wishes to elect an establishment benefit respecting the crops mentioned in subsection (3) must do so on or before March 31 in the year for which the election is made.

(5) Subject to subsections (6) and (7), if one or more acres of an insured crop is destroyed by gophers during the period for which an establishment benefit would be payable for those acres and in the opinion of the corporation any reseeding of another crop in that year is likely to be destroyed by gophers, the insured is eligible for a payment of \$50 for each acre destroyed.

- (6) The number of acres eligible for payment pursuant to subsection (5) will be reduced by a deductible equal to one acre per crop per legal land description.

(7) Any acre for which a benefit is paid pursuant to subsection (5) is not eligible for any subsequent payments pursuant to a contract of crop insurance for that year.

5 Mar 2004 SR 7/2004 s3; 1 Apr 2005 SR 25/
2005 s5; 30 Mar 2007 SR 17/2007 s9.

11.4 Repealed. 28 Mar 2002 SR 26/2002 s7.

11.41 Repealed. 28 Mar 2002 SR 26/2002 s7.

11.5 Repealed. 31 Jan 97 SR 4/97 s12.

Diversification option

11.6(1) Subject to subsection (2), an insured who has entered into a contract of crop insurance for grain crops or an applicant who has applied for a contract of crop insurance for grain crops may elect to insure under the diversification option crops that are not otherwise eligible for insurance pursuant to these regulations or the contract of crop insurance.

(2) A crop is eligible for the diversification option only if, in the opinion of the corporation, the crop is agronomically viable for the area in which it is grown and has the potential to be produced in harvestable quantities in the year of insurance.

(3) An election pursuant to subsection (1) is to be made on or before March 31 in each year.

(3.1) **Repealed.** 5 Mar 2004 SR 7/2004 s4.

(4) **Repealed.** 27 Feb 98 SR 17/98 s8.

(5) The establishment benefit applies to crops to which the diversification option applies.

(6) For the purpose only of applying this section, crops that meet the criteria mentioned in subsections (1) and (2) are designated as "insurable crops" for the purposes of clause 2(g) of the Act.

(7) The maximum number of acres that an insured may elect to have the diversification option apply to is a number equal to 30% of the number of the acres of grain crops that he or she has insured.

(8) The minimum number of acres that an insured or applicant may elect to have the diversification option apply to is one acre.

(9) An insured shall indicate the crops seeded by the insured to which the diversification option applies in the seeded acreage report required pursuant to subsection 4(1) of the contract of crop insurance.

(10) Notwithstanding section 12, the premium to be paid per acre for the diversification option is an amount equal to the average premium per acre paid by the insured for crop insurance for grain crops.

(11) **Repealed.** 28 Mar 2002 SR 26/2002 s8.

(12) **Repealed.** 31 Jan 97 SR 4/97 s13.

(13) **Repealed.** 31 Jan 97 SR 4/97 s13.

(14) Notwithstanding any other provision of these regulations or the contract of crop insurance, the corporation shall pay indemnity to an insured for crops insured under the diversification option in an amount per acre that is equal to the average amount per acre of indemnity paid to the insured pursuant to the crop insurance program for grain crops.

15 Apr 94 SR 33/94 s5; 31 Jan 97 SR 4/97 s13;
27 Feb 98 SR 17/98 s8; 17 Mar 2000 SR 12/2000
s9; 28 Mar 2002 SR 26/2002 s8; 4 Apr 2003 SR
18/2003 s4; 25 Apr 2003 SR 28/2003 s8; 5 Mar
2004 SR 7/2004 s4; 1 Apr 2005 SR 25/2005 s6;
30 Mar 2007 SR 17/2007 s10.

New crops**11.7(1)** Notwithstanding any other provision of these regulations:

- (a) the corporation shall only use premiums collected for new crops to pay claims relating to new crops;
 - (b) any premiums collected on new crops that are not used to pay claims in the current year may be retained in the fund as a reserve and used to pay claims relating to new crops in subsequent years;
 - (c) no experience discount or surcharge applies to premiums on new crops; and
 - (d) no adjustment for the quality of the harvested production is to be made to the quantity of production for new crops, except for timothy hay.
- (2) An adjustment to the quantity of the harvested production of timothy hay is to be made when the quality of harvested production falls below the standard grade for the industry as determined by the corporation.

19 Apr 2002 SR 34/2002 s5; 1 Apr 2005 SR 25/
2005 s7.

Forage rainfall insurance program**11.8(1)** In this section:

- (a) **“applicant”** means a person who:
 - (i) qualifies for insurance pursuant to a contract of crop insurance; and
 - (ii) elects to participate in the forage rainfall insurance program pursuant to this section;
 - (b) **“program”** means the forage rainfall insurance program administered by the corporation pursuant to this section.
- (2) An applicant may elect to participate in the forage rainfall insurance program with respect to acres of native forage or grazed tame forage that are within an area covered by the program, as determined by the corporation.
- (3) An applicant who wishes to participate in the program must, on or before March 31 of each year:
- (a) make elections pursuant to subsections (2), (13.1) and (14.1);
 - (b) **Repealed.** 28 Mar 2002 SR 26/2002 s9.
 - (c) subject to the approval of the corporation, select the weather station that best represents the climatic conditions for the acres to be insured; and
 - (d) declare the acres to be insured pursuant to the program.
- (4) Acres that are insured pursuant to any other program pursuant to a contract of crop insurance are not eligible to be insured pursuant to the forage rainfall insurance program.

- (5) The minimum number of acres that may be insured by an applicant pursuant to the forage rainfall insurance program is 10 acres per quarter section of land.
- (6) Every applicant shall pay a premium, as determined by the corporation, on all acres insured by the applicant pursuant to the program.
- (7) No experience discount or surcharge applies to a premium for the forage rainfall insurance program.
- (8) The coverage pursuant to the forage rainfall insurance program is an amount per acre for native forage and grazed tame forage that:
- (a) is to be determined by the corporation each year before the enrolment deadline mentioned in subsection (3); and
 - (b) may be established at different levels in different soil zones of the province.
- (9) **Repealed.** 28 Mar 2002 SR 26/2002 s9.
- (10) Indemnity calculations for the forage rainfall insurance program are to be based on data obtained:
- (a) from the weather station selected pursuant to clause (3)(c); or
 - (b) if the necessary data is not available from the weather station selected pursuant to clause (3)(c), from the weather station selected by the corporation as the best alternative to the weather station selected pursuant to clause (3)(c).
- (11) Subject to subsections (13) to (14.1), an indemnity is triggered on insured acres pursuant to the forage rainfall insurance program when the calculated annual precipitation from April 1 to July 31 falls below 80% of the normal precipitation, as determined by the corporation, for the weather station selected pursuant to clause (3)(c) or (10)(b), as the case may be.
- (12) For every percentage point that the calculated annual precipitation mentioned in subsection (11) falls below 80% of the normal precipitation for the selected weather station, an indemnity equal to 2.5% of the liability is to be paid on the insured acres.
- (13) In determining the calculated annual precipitation for a weather station for the purposes of subsections (11) and (12), any precipitation in excess of a percentage as elected by the applicant pursuant to subsection (13.1) of the normal monthly precipitation for that weather station is not to be included in the calculated annual total for that weather station.
- (13.1) The applicant must elect one of the following percentages of monthly precipitation as the maximum to be included in the calculated annual total for a weather station:
- (a) 125%;
 - (b) 150%.
- (14) Subject to subsection (13), the calculated annual precipitation for each weather station under the forage rainfall insurance program is to be determined by weighting the precipitation totals at that weather station for the months of April, May, June and July in accordance with the election made by the applicant pursuant to subsection (14.1).

(14.1) The applicant must elect one of the following options for the monthly weighting of precipitation totals for a weather station:

- (a) option 1 – April 30%, May 30%, June 30%, July 10%;
- (b) option 2 – April 10%, May 40%, June 40%, July 10%;
- (c) option 3 – April 10%, May 30%, June 30%, July 30%.

6 Apr 2001 SR 18/2001 s5; 28 Mar 2002 SR 26/2002 s9; 19 Apr 2002 SR 34/2002 s6; 4 Apr 2003 SR18/2003 s5; 5 Mar 2004 SR 7/2004 s5.

11.9 Repealed. 27 Mar 2009 SR 21/2009 s5.

Corn heat unit insurance program

11.91(1) In this section:

- (a) **“applicant”** means a person who:
 - (i) qualifies for insurance pursuant to a contract of crop insurance; and
 - (ii) elects to participate in the corn heat unit insurance program pursuant to this section;
 - (b) **“corn heat unit”** means the number of temperature degrees above the minimum required for the growth of corn as determined by the corporation;
 - (c) **“program”** means the corn heat unit insurance program administered by the corporation pursuant to this section;
 - (d) **“program area”** means the area of Saskatchewan that is determined by the corporation in which the program is to be offered.
- (2) An applicant may elect to participate in the corn heat unit insurance program with respect to acres that the applicant seeds to corn within the program area.
 - (3) For the purposes of this section, the corporation may determine the area or areas of Saskatchewan in which the program is to be offered.
 - (4) An applicant who wishes to participate in the program must, on or before March 31 of each year:
 - (a) make elections pursuant to subsections (2) and (8);
 - (b) subject to the approval of the corporation, select the weather station that best represents the climatic conditions for the acres to be insured; and
 - (c) declare the acres to be insured pursuant to the program.
 - (5) The minimum number of acres that may be insured by an applicant pursuant to the program is one acre.
 - (6) Every applicant shall pay a premium, as determined by the corporation, on all acres insured by the applicant pursuant to the program.
 - (7) No experience discount or surcharge applies to a premium for the program.
 - (8) The applicant must elect an amount of coverage pursuant to the program from the alternative amounts per acre that are to be determined by the corporation each year before the enrolment deadline mentioned in subsection (4).

- (9) Indemnity calculations for the program are to be based on data obtained:
- (a) from the weather station selected pursuant to clause (4)(b); or
 - (b) if the necessary data is not available from the weather station selected pursuant to clause (4)(b), from the weather station selected by the corporation as the best alternative to the weather station selected pursuant to clause (4)(b).
- (10) An indemnity is triggered on insured acres pursuant to the program when the number of the corn heat units, as determined by the corporation, for the period mentioned in subsection (13) falls below 2100 for the weather station selected pursuant to clause (4)(b) or (9)(b), as the case may be.
- (11) The amount of any payment pursuant to the program that the corporation shall pay to an applicant is the product of:
- (a) the applicant's liability calculated pursuant to subsection (12); and
 - (b) the appropriate percentage of the applicant's liability pursuant to the program determined according to the following schedule:

Schedule of Corn Heat Units and Liability Percentages

<u>Annual Corn Heat Units</u>	<u>Percent of Liability Paid</u>
2100 or greater	0%
2080 to 2099	3%
2060 to 2079	6%
2040 to 2059	9%
2020 to 2039	12%
2000 to 2019	15%
1980 to 1999	18%
1960 to 1979	21%
1940 to 1959	24%
1920 to 1939	27%
1900 to 1919	30%
1880 to 1899	33%
1860 to 1879	36%
1840 to 1859	39%
1820 to 1839	42%
1800 to 1819	45%
1780 to 1799	48%
1760 to 1779	52%
1740 to 1759	56%
1720 to 1739	60%
1700 to 1719	64%
1680 to 1699	68%
1660 to 1679	72%
1640 to 1659	76%
Less than 1640	80%.

(12) The applicant's liability mentioned in subsection (11) is the amount L calculated in accordance with the following formula:

$$L = C \times A$$

where:

C is the coverage per acre elected by the applicant pursuant to subsection (8); and

A is the number of acres insured by the applicant pursuant to the program.

(13) The corporation shall determine corn heat units as the cumulative total of corn heat units for the period:

(a) commencing on May 15 in each year; and

(b) ending on the first day after July 1 of the year mentioned in clause (a) in which the daily minimum temperature is below minus 2 degrees Celsius, as determined by the corporation.

(14) Notwithstanding any other provision of these regulations, the corporation may limit the total number of acres that may be insured at any weather station pursuant to the program.

5 Mar 2004 SR 7/2004 s7.

Crop averaging program

11.92(1) In this section:

(a) **"applicant"** means a person who:

(i) qualifies for insurance pursuant to a contract of crop insurance; and

(ii) elects to participate in the crop averaging program pursuant to this section;

(b) **"eligible crop"** means a crop that has been designated by the corporation as qualifying for coverage under the crop averaging program;

(c) **"program"** means the crop averaging program administered by the corporation pursuant to this section.

(2) An applicant may elect to participate in the program with respect to all eligible crops.

(3) An election pursuant to subsection (2) must be made on or before March 31 in each year.

(4) An applicant must select the 80% coverage level for all crops.

(5) Subject to subsection 10(1.1), the coverage level for each applicant is 80% multiplied by a factor determined by the corporation in each year that reflects the applicant's reduced risk of loss that results from combining all crops under the program.

(6) Coverage per crop for the program is equal to the amount C calculated in accordance with the following formula:

$$C = Y \times CL \times PO \times A$$

where:

Y is the long-term individual yield for the eligible crop determined by the corporation;

CL is the coverage level determined by the corporation pursuant to subsection (5);

PO is the price option elected by the insured; and

A is the number of acres of the eligible crop.

(7) Total coverage under the program is the sum of the coverage for all eligible crops calculated pursuant to subsection (6).

(8) The total premium to be paid by an applicant for the program is the sum of the premiums for each eligible crop.

(9) Any experience discount or surcharge that is determined by the corporation for the applicant will apply to the total premium.

(10) Notwithstanding any other provision of these regulations or the contract of crop insurance, the corporation shall pay an indemnity to an applicant if the total production for all eligible crops, adjusted for quality and multiplied by the elected price option, falls below the total dollar coverage for all the eligible crops.

1 Apr 2005 SR 25/2005 s9.

Forage diversification option

11.93(1) Subject to subsection (2), an insured who has entered into a contract of crop insurance or an applicant who has applied for a contract of crop insurance may elect to insure under the forage diversification option crops grown for fodder production that are not otherwise eligible for insurance pursuant to these regulations or the contract of crop insurance.

(2) A crop is eligible for the forage diversification option only if, in the opinion of the corporation, the crop is agronomically viable for the area in which it is grown.

(3) An election pursuant to subsection (1) must be made on or before March 31 in each year.

(4) The establishment benefit does not apply to crops to which the forage diversification option applies.

(5) For the purpose only of applying this section, crops that meet the criteria mentioned in subsections (1) and (2) are designated as 'insurable crops' for the purposes of clause 2(g) of the Act.

(6) The minimum number of acres that an insured may elect to have the forage diversification option apply to is one acre.

(7) An insured shall indicate the crops seeded by the insured to which the forage diversification option applies in the seeded acreage report required pursuant to subsection 4(1) of the contract of crop insurance.

(8) The insured shall pay a premium, as determined by the corporation, on all acres insured under the forage diversification option.

(9) No experience discount or surcharge applies to a premium for the forage diversification option.

(10) The coverage pursuant to the forage diversification option is an amount per acre that is to be determined by the corporation each year before the deadline mentioned in subsection (3).

(11) Notwithstanding any other provision of these regulations or the contract of crop insurance, the corporation shall pay an indemnity to an insured for crops insured under the forage diversification option in an amount per acre that is equal to an average per acre loss, as determined by the corporation, for barley at the 80% coverage level, for the risk area in which the insured crop is grown.

1 Apr 2005 SR 25/2005 s9; 30 Mar 2007 SR 17/2007 s11.

Vegetable acreage loss option

11.94(1) Subject to subsection (2), an insured who has entered into a contract of crop insurance or an applicant who has applied for a contract of crop insurance may elect to insure under the vegetable acreage loss option vegetable crops that are specified in subsection (2).

(2) Vegetable crops under the vegetable acreage loss option are the following:

- (a) beans;
- (b) beets;
- (c) broccoli;
- (d) cabbage;
- (e) carrots;
- (f) cauliflower;
- (g) cucumbers;
- (h) onions;
- (i) peas;
- (j) potatoes;
- (k) pumpkins;
- (l) rutabagas;
- (m) squash;
- (n) sweet corn.

(3) A crop is eligible to be insured under the vegetable acreage loss option only if, in the opinion of the corporation, the crop is agronomically viable for the area in which it is grown.

- (4) An election pursuant to subsection (1) must be made on or before March 31 in each year.
- (5) The minimum number of acres that an insured or an applicant may elect to have the vegetable acreage loss option apply to is one acre.
- (6) An insured shall indicate the crops seeded by the insured to which the vegetable acreage loss option applies in the seeded acreage report required pursuant to subsection 4(1) of the contract of crop insurance.
- (7) Crops insured under the vegetable acreage loss option shall be grouped, as determined by the corporation, for the purpose of calculating premium, coverage and indemnities.
- (8) The insured shall pay a premium, as determined by the corporation, on all acres insured under the vegetable acreage loss option.
- (9) The insured must elect an amount of coverage under the vegetable acreage loss option from the alternative amounts per acre that are to be determined by the corporation each year before the deadline mentioned in subsection (4).
- (10) Coverage provided under the vegetable acreage loss option will be in effect as follows:
- (a) from the date of planting to and including June 20, coverage will be 35% of the amount elected pursuant to subsection (9);
 - (b) on or after June 21 to the termination date pursuant to subsection (12), coverage will be 100% of the amount elected pursuant to subsection (9).
- (11) The corporation shall pay an indemnity under the vegetable acreage loss option equal to the coverage determined pursuant to subsection (10) for each acre or partial acre that the producer is required to destroy, less a deductible equal to 10% of all acres insured by the insured under this option with the approval of the corporation, as a result of an insurable cause of loss.
- (12) The termination date for coverage under the vegetable acreage loss option will be the earliest of the following dates:
- (a) the date of harvest;
 - (b) the date of destruction of the crop;
 - (c) the fall cut-off date for coverage for each crop, as determined by the corporation.

1 Apr 2005 SR 25/2005 s9; 24 Mar 2006
SR 20/2006 s4; 30 Mar 2007 SR 17/2007 s12.

Wild rice coverage option

11.95(1) Subject to subsection (2), an insured who has entered into a contract of crop insurance or an applicant who has applied for a contract of crop insurance may elect to insure wild rice under the wild rice coverage option.

- (2) An insured or applicant must have:
- (a) a valid licence for the production of wild rice as issued pursuant to *The Wild Rice Regulations, 2005*; or
 - (b) if production of the wild rice is located on reserve, written authorization from the Indian band for whose use and benefit that reserve has been set aside.
- (3) An election pursuant to subsection (1) must be made on or before March 31 in each year.
- (4) An insured must indicate the acres intended to be harvested by the insured to which the wild rice coverage option applies in the seeded acreage report required pursuant to subsection 4(1) of the contract of crop insurance.
- (5) The insured must pay a premium, as determined by the corporation, on all acres insured under the wild rice coverage option.
- (6) The insured must elect one of the following coverage levels before the deadline mentioned in subsection (3):
- (a) 50%;
 - (b) 60%;
 - (c) 70%.
- (7) Indemnity payments under the wild rice coverage option will be calculated for each designated area of production within Saskatchewan, as determined by the corporation.
- (8) The corporation shall determine the indemnity payable per acre for each coverage level offered in each designated area of production as the amount IA calculated in accordance with the following formula:

$$IA = [(PY \times CL) - AY] \times UP$$

where:

PY is the probable yield, as determined by the corporation;

CL is the coverage level;

AY is the annual yield;

UP is the unit price, as determined by the corporation.

- (9) The total indemnity payable to each insured producer for each designated area of production is the amount TI calculated in accordance with the following formula:

$$TI = IA \times A$$

where:

IA is the indemnity per acre determined pursuant to subsection (8);

A is the number of insured acres determined pursuant to subsection (4).

- (10) Wild rice is deemed not to be a volunteer crop for the purposes of these regulations.

Premium

12 The premium payable for each insured crop is an amount determined by the corporation.

31 Jan 97 SR 4/97 s14.

Premium due

13(1) The premium is due and payable at the time the statement of insurance in the form prescribed by the corporation, is mailed to the insured.

(2) The corporation may allow a discount for prompt payment of premium on any conditions that may be set from time to time by the corporation.

14 Dec 84 cC-47.2 Reg 1 s13.

Joint and several liability

13.1 Where any amount is owed to the corporation by a partnership, joint venture or unincorporated group of associated individuals, the amount owed is a joint and several liability of the participants in the partnership, joint venture or group.

15 Apr 94 SR 33/94 s6.

Failure to pay

14 Where the applicant or the insured, as the case may be, has failed to pay the premium or penalty as required by these regulations the corporation may, in its discretion, consider the contract:

(a) to be in force and take any action that it sees fit to recover any premium or penalty remaining unpaid; or

(b) to be at an end, and any part of the premium or penalty paid by the insured to the corporation is forfeited to the corporation.

14 Dec 84 cC-47.2 Reg 1 s14.

Promissory note

15(1) The corporation may accept a promissory note to secure all or a portion of the total premium.

(2) A promissory note mentioned in subsection (1) may include a surcharge, allow a discount for prompt payment and provide for an interest charge in the event of late payment in accordance with any conditions that may be set from time to time by the corporation.

14 Dec 84 cC-47.2 Reg 1 s15.

Same conditions

16 Where the amount of the premium or penalty has been determined under subsection 9(3), the payments made by the insured on the amount payable are subject to the same conditions regarding surcharge, discount and interest charges as if the amount had been secured by a promissory note.

14 Dec 84 cC-47.2 Reg 1 s16.

Legal action

17 Where the insured refuses or neglects to pay all or any part of the premium or penalty assessed by the corporation including surcharges and interest, the corporation may take any legal action that it considers necessary to enforce payment.

14 Dec 84 cC-47.2 Reg 1 s17.

Change in use

18 Where the insured wishes to put any acreage of any insured crop to another use, he shall notify the corporation in person or file a request in any form that is prescribed by the corporation.

14 Dec 84 cC-47.2 Reg 1 s18.

Appraisal

19 Where there is agreement regarding an appraisal of the potential production of acreage with respect to which a request has been filed pursuant to section 18, the appraisal is to be in any form that is prescribed by the corporation.

14 Dec 84 cC-47.2 Reg 1 s19.

Another use before approval

20 Where an insured has put any part of his insured acreage to another use without following the procedure set out in section 18, the corporation may determine the actual yield for indemnity purposes to be the guaranteed production or the average yield established for that acreage before its use was so converted.

14 Dec 84 cC-47.2 Reg 1 s20.

Another use before agreement on potential production

21 Where an insured has put any part of his insured acreage to another use before agreement has been reached on the appraisal of potential production of that acreage, the corporation may determine actual yield for the purposes of indemnity to be the lesser of:

- (a) the appraised potential production per acre as set out in the appraisal report of an adjuster appointed by the corporation; or
- (b) an amount per acre established by any method determined by the corporation.

14 Dec 84 cC-47.2 Reg 1 s21.

Notice regarding yield

22(1) Where, before harvest, the insured has reason to believe that his actual yield for any insured crop will be less than the guaranteed production, he shall give the corporation written notice of that fact in order to provide the corporation with a reasonable opportunity to conduct a pre-harvest inspection.

(2) A notice pursuant to subsection (1) is to include an estimate of all carry-over production of insured crops in the possession of the insured or held on his behalf at the date of the notice.

(3) Where the insured fails to give notice pursuant to subsection (1) and, as a result, the corporation is unable to determine who among two or more persons produced a crop, the corporation, for all its purposes, may fix the amount of crop produced by the insured.

14 Dec 84 cC-47.2 Reg 1 s22;
12 Jly 85 SR 63/85 s9; 27 Feb 98 SR 17/98 s10.

Pre-harvest inspection

23 A pre-harvest inspection report is to include any information that the corporation may require.

14 Dec 84 cC-47.2 Reg 1 s23.

Inadequate information on stored production

24(1) Where the insured:

(a) has failed to report, before harvest, all of his farm-stored production from previous years and, as a result of that failure, the corporation cannot clearly determine the current year's production; or

(b) at the time of the post-harvest inspection is unable, to the satisfaction of the corporation, to clearly indicate the current year's production;

the corporation, for the purpose of ascertaining the actual yield, may determine that all stored production and all marketings of the year following the commencement of harvest of the insured crop is the current year's production of the insured crop.

14 Dec 84 cC-47.2 Reg 1 s24; 12 Jly 85 SR 63/85 s10.

Corporation may fix production

24.1 Where the corporation is not able to determine which of two or more persons produced a crop, the corporation may fix the amounts produced by each person who is an insured of the corporation for all the purposes of the corporation.

15 Apr 94 SR 33/94 s7.

Delayed harvest inspection

25 The corporation may require that a request for a delayed harvest inspection be filed by a date before the end of the insurance period as set out in the contract where:

(a) the insured has not completed threshing; or

(b) the actual threshed production has not reached the level of the guaranteed production;

by a date established by the corporation.

14 Dec 84 cC-47.2 Reg 1 s25.

Post-harvest report

26 A post-harvest report is to be in any form that the corporation may prescribe and is the basis of determining the production and the actual yield of the insured crop.

14 Dec 84 cC 47.2 Reg 1 s26; 12 Jly 85 SR 63/85 s11.

Proof of loss

27 A proof of loss is to be in the form prescribed by the corporation.

15 Apr 94 SR 33/94 s8.

Actual yield

28(1) Subject to any other provision of these regulations, for the purposes of these regulations and the contract, "**actual yield**" means the yield of a crop insured under a contract as determined by the corporation, and includes:

- (a) all threshed grain from the insured acreage;
- (b) loss credits due to uninsurable causes, if any, established under the terms of the contract; and
- (c) any amount, determined by the corporation, of potential production on acreage abandoned or put to another use.

(2) Subject to subsection (3), the corporation may revise a determination of actual yield made pursuant to subsection (1):

- (a) after reinspecting the damaged area of the insured crop; or
- (b) after receiving information that the initial determination was incorrect.

(3) The corporation must complete any revision of a determination of actual yield within six years after the last day of the crop year with respect to which the determination relates.

19 Apr 96 SR 12/96 s9; 27 Feb 98 SR 17/98 s11.

Amount payable

29 Subject to section 32, the amount payable in the case of yield-loss claims mentioned in the proof of loss is the product of:

- (a) the total coverage or guaranteed production of each insured crop less the actual yield in kilograms or in tonnes for each insured crop; and
- (b) the unit price option as set out in the statement of insurance for each insured crop.

14 Dec 84 cC-47.2 Reg 1 s29; 31 Jan 97 SR 4/97 s15; 27 Feb 98 SR 17/98 s12; 25 Apr 2003 SR 28/2003 s10.

30 Repealed. 4 Sep 92 SR 81/92 s12.

Reappraisal

31(1) In the event of a disagreement between the corporation and the insured about the amount payable to the insured as a result of loss or damage caused by one or more of the perils designated in the definition of "crop insurance", whether the right to recover on the policy is disputed or not, that amount shall, on the request of either party, be determined by a reappraisal conducted in accordance with this section.

(2) Within five days of the disagreement pursuant to subsection (1), the party requesting a reappraisal shall serve personally or by registered mail on the other party a notice in writing requesting a reappraisal and naming an appraiser.

(3) Subject to subsection (4), the date of the disagreement pursuant to subsection (1) is deemed to be the earlier of:

(a) the fifth day after the day when the insured receives a proof of loss form from the corporation; and

(b) the day that the corporation receives written notice in accordance with subsection (2).

(4) The corporation may determine the date of the disagreement pursuant to subsection (1) to be a date later than the date determined pursuant to subsection (3).

(5) Within five days of receiving a notice pursuant to subsection (2), the party served shall serve personally or by registered mail on the other party written notice that he accepts the named appraiser or that he names his own appraiser.

(6) Where each party names an appraiser, the appraisers shall together estimate the amount of loss or damage and, where they cannot agree, they shall:

(a) appoint an arbitrator; or

(b) request that the Superintendent of Insurance appoint an arbitrator;

to resolve the dispute, determine the amount of the loss or damage and provide a written award.

(7) Each party shall bear the cost of his appraiser.

(8) The parties shall share equally:

(a) the cost of the appraiser where only one appraiser is appointed;

(b) the cost of the arbitrator, if any.

(9) A reappraisal pursuant to this section is to be commenced two days after:

(a) both appraisers have been appointed; or

(b) the time has expired for the appointment of appraisers.

(10) Failure by one party to name an appraiser within the time prescribed in this section vests power in the appraiser already appointed to determine the amount of the loss or damage.

(11) The Superintendent of Insurance may, in his discretion, extend the time prescribed for doing any thing pursuant to this section.

14 Dec 84 cC-47.2 Reg 1 s31.

No double recovery

32 Where the insured is eligible for compensation for loss to an insured crop pursuant to *The Big Game Damage Compensation Program Regulations* or *The Waterfowl Damage Compensation Program Regulations*, the amount payable pursuant to section 29 is to be reduced by the amount that the insured would otherwise have received pursuant to these regulations for that portion of the crop that would otherwise have been eligible for indemnification pursuant to these regulations.

27 Feb 98 SR 17/98 s13.

APPENDIX

Form A

SASKATCHEWAN CROP INSURANCE CORPORATION

Contract of Crop Insurance

THE SASKATCHEWAN CROP INSURANCE CORPORATION (hereinafter referred to as the "**corporation**") subject to *The Crop Insurance Act* (hereinafter referred to as the "**Act**"), the regulations made pursuant to the Act, and the Canada-Saskatchewan Production Insurance Agreement, agrees to insure the insured in accordance with the terms and conditions of this contract, in any crop year during the term of this contract, and agrees to pay to the insured:

- (a) the unit price option for each kilogram or each tonne of insured crop by which the actual yield is less than the total coverage of that crop, as provided by this contract, provided that the reduced yield results from one or more of the perils designated under "**crop insurance**";
- (b) unseeded acreage insurance in the case of loss resulting from the inability to seed crops on insured acreage on or before June 20 of the relevant year due to excessive spring moisture;
- (c) an establishment benefit on acreage of:
 - (i) spring-seeded or fall-seeded annual crops, and annual cereal crops grown for harvested fodder production, that fails to re-establish in the spring or suffers damage on or before the dates mentioned in clause 8(6)(a) of this contract; or
 - (ii) tame legumes and perennial grasses that fails to establish by the spring following the establishment year;

where:

- (iii) that acreage exceeds the lesser of:
 - (A) 10 acres; and
 - (B) 10% of the total acreage of the insured crops; and
- (iv) the failure to establish results from one or more of the perils designated under "**crop insurance**" pursuant to clause 1(2)(c).

The premium to insure a crop in each year of the contract shall be paid in cash in full or under any terms and conditions that are provided in the Act and the regulations made pursuant to the Act.

5 Mar 2004 SR 7/2004 s8; 1 Apr 2005 SR 25/
2005 s10; 30 Mar 2007 SR 17/2007 s14.

TERMS AND CONDITIONS

Meaning of terms

- 1(1) In this contract, expressions and words have the meaning given to them by the Act and the regulations made pursuant to the Act.

(2) For the purposes of this contract:

(a) **“actual yield”** means the yield of a crop insured under a contract as determined by the corporation and includes:

- (i) all threshed grain from the insured acreage;
- (ii) loss credits due to uninsurable causes, if any, established under the terms of this contract;
- (iii) an amount, if any, as determined by the corporation, of potential production on acreage abandoned or put to another use;

(b) **“coverage per acre”** means:

- (i) **Repealed.** 4 Sep 92 SR 81/92 s13.
- (ii) subject to subclause (iii) in the case of individual coverage, not more than 80% of the long-term average yield per acre; and
- (iii) coverage pursuant to the crop averaging program;

for the insured crop as determined by the corporation in the manner prescribed in the regulations;

(c) **“crop insurance”** means insurance against loss of an insured crop caused by drought, flood, hail, wind, frost, lightning, excessive rain, snow, hurricane, tornado, wildlife, accidental fire, insect infestation, gophers or plant disease;

(d) **“designated grades”** means:

- (i) subject to subclause (ii), in the case of:
 - (A) hard red spring wheat, No. 2 C.W.R.S.;
 - (B) durum wheat, No. 2 C.W.A.D.;
 - (C) extra strong red spring wheat, No. 2 C.W.E.S.;
 - (D) Canada prairie spring wheat, No. 2 C.P.S.;
 - (E) **Repealed.** 19 Apr 2002 SR 34/2002 s8.
 - (F) winter wheat, No. 2 C.W.;
 - (G) barley, No. 1 C.W.;
 - (H) oats, No. 3 C.W.;
 - (I) spring rye, No. 2 C.W.;
 - (J) fall rye, No. 2 C.W.;
 - (K) flax, No. 2 C.W.;
 - (L) canola, No. 1 Canada;
 - (M) **Repealed.** 24 Dec 98 SR 90/98 s9.
 - (N) sunflowers, No. 1 Canada;

- (O) field peas, No. 3 Canada;
- (P) **Repealed.** 6 Apr 2001 SR 18/2001 s6.
- (Q) **Repealed.** 19 Apr 2002 SR 34/2002 s8.
- (R) fababeans, No. 2 Canada;
- (S) canary seed, sound and dry;
- (T) triticale, No. 2 Canada;
- (U) brown mustard, No. 1 Canada;
- (V) oriental mustard, No. 1 Canada;
- (W) yellow mustard, No. 1 Canada;
- (X) lentils (large green), No. 2 Canada;
- (Y) lentils (red), No. 1 Canada;
- (Z) lentils (other), No. 2 Canada;
- (AA) irrigated dry beans (pinto), No. 1 Canada;
- (BB) irrigated dry beans (black), No. 1 Canada;
- (CC) irrigated dry beans (other), No. 1 Canada;
- (DD) desi chickpeas, No. 2 C.W.;
- (EE) small-seeded Kabuli chickpeas, No. 2 C.W.;
- (FF) large-seeded Kabuli chickpeas, a composite grade determined according to the following weightings:
 - (I) 35% No. 2 C.W. 9 mm;
 - (II) 50% No. 2 C.W. 8 mm;
 - (III) 15% Sample Account Green 7 mm;
- (GG) hard white spring wheat, No. 2 C.W.H.W.;
- (HH) identity preserved canola, No. 1 Canada.

(ii) Canada Certified No. 1 in the case of any insurable crop that is grown as pedigreed seed but that does not meet the germination standards for pedigreed seed, as determined by the corporation;

(e) **Repealed.** 31 Jan 97 SR 4/97 s16.

(e.1) “**establishment benefit**” means an acreage payment provided as an extension to coverage under this contract on acreage of insured spring-seeded or fall-seeded annual crops or legumes or perennial grasses or annual cereal crops grown for harvested fodder production which fails to establish following seeding due to one or more of the perils designated under “crop insurance” pursuant to clause (2)(c);

- (f) **“put to another use”** means:
- (i) in the case of crops grown for seed production, working down using for pasture, cutting for feed, reseeding to the same or another crop and any use other than threshing; and
 - (ii) in the case of crops grown for fodder, working down or reseeding to the same or another crop;
- (g) **“regulations”** means *The Crop Insurance Regulations*;
- (h) **Repealed.** 4 Sep 92 SR 81/92 s13.
- (i) **“stubble acreage”** means acreage which has been in crop or has not been properly summerfallowed, as determined by the corporation in its discretion, during the year immediately preceding the year in which the insurance is in effect;
- (j) **“summerfallow acreage”** means acreage which did not produce a crop, and on which an adequate and accepted method of weed and other plant growth control was practiced, as determined by the corporation in its discretion, by July 11 and during the year immediately preceding the year in which the insurance is in effect;
- (k) **“total coverage”** means the total guaranteed production in kilograms or in tonnes of the insured crop as determined by the corporation and as set out in the regulations;
- (k.1) **“unit price option”** means the insured’s election pursuant to section 10.1 of the regulations of the base price, variable price, in-season price, contract price or low price per kilogram or per tonne for a particular crop as determined by the corporation;
- (l) **“unseeded acreage insurance”** means coverage provided for the purpose of guaranteeing a return from acreage intended for seeding, determined on the basis of the insured’s historical seeding pattern, which remains unseeded and still too wet to be seeded on June 20 in any year as a result of excessive spring moisture but that coverage does not apply to acreage which is dry enough to be seeded, but is not accessible because of spring moisture conditions;
- (m) **“wildlife”** means ducks, geese, sandhill cranes, deer, elk, antelope, moose, bison or bears, that have not been held in captivity.

14 Dec 84 cC-47.1 Reg 1 Form A s1; 27 Dec 85 SR 121/85 s7; 20 Feb 87 SR 8/87 s8; 13 May 88 SR 25/88 s4; 4 Sep 92 SR 81/92 s13; 19 Apr 96 SR 12/96 s10; 31 Jan 97 SR 4/97 s16; 27 Feb 98 SR 17/98 s14; 24 Dec 98 SR 90/98 s9; 17 Mar 2000 SR 12/2000 s11; 6 Apr 2001 SR 18/2001 s6; 28 Mar 2002 SR 26/2002 s10; 19 Apr 2002 SR 34/2002 s8; 25 Apr 2003 SR 28/2003 s11; 5 Mar 2004 SR 7/2004 s8; 1 Apr 2005 SR 25/2005 s10; 24 Mar 2006 SR 20/2006 s5; 30 Mar 2007 SR 17/2007 s14; 27 Mar 2009 SR 21/2009 s6.

Scope of insurance

2(1) It is understood that this contract includes all the acreage seeded to an insurable crop covered by the contract unless the corporation has otherwise consented in writing.

(2) It is understood that the insurable varieties of a crop are those that are, in the opinion of the corporation, suitable for the local growing conditions in the region of Saskatchewan in which they are to be grown.

14 Dec 84 cC-47.2 Reg 1 Form A s2; 15 Apr 94
SR 33/94 s9; 19 Apr 96 SR 12/96 s10.

Insurance period

3(1) Subject to the terms and conditions of this contract, yield-loss coverage is provided by the corporation on each of the insured crops of the insured in each crop year from the date of seeding until the earlier of:

- (a) the day that the crop is threshed; and
- (b) the day that the crop is put to another use;

but in no event shall such a crop be insured after November 15 in any crop year in the case of all crops except tame legumes and perennial grasses grown for hay and forage, unless that period is extended by the corporation.

(2) Alfalfa, dehydrated alfalfa, alfalfa-grass mixtures, perennial grasses, sweet clover and annual cereal crops grown for harvested fodder production will not be insured after August 15 unless the deadline is extended by the corporation.

(2.1) **Repealed.** 4 Sep 92 SR 81/92 s13.

(3) **Repealed.** 4 Sep 92 SR 81/92 s13.

14 Dec 84 cC-47.2 Reg 1 Form A s3; 27 Dec 85
SR 121/85 s7; 20 Feb 87 SR 8/87 s8; 4 Sep 92
SR 81/92 s13; 19 Apr 96 SR 12/96 s10; 31 Jan
97 SR 4/97 s16; 27 Feb 98 SR 17/98 s14.

Seeded acreage report

4(1) Every insured shall file with the corporation, on or before June 25 or a date set by the corporation in each year, a seeded acreage report, in the form prescribed by the corporation, declaring:

- (a) the insured crops seeded in which the insured has an interest;
- (b) the total acres seeded to each insured crop in which the insured has an interest at the time of seeding, and the number of acres seeded on summerfallow, stubble or irrigated acres;
- (c) total acres in summerfallow;
- (d) an estimate of all production of insured crops in storage in the current year;

- (e) total acres seeded to crops that are not insured crops; and
 - (f) any other relevant information the corporation may require respecting the matters mentioned in clauses (a) to (e).
- (2) Any seeded acreage report submitted by the insured is binding on the insured and is not subject to change by the insured without the written permission of the corporation.
- (3) A report pursuant to this section of the contract is known as the seeded acreage report and unless otherwise determined by the corporation forms the basis on which the crop of the insured is insured and the basis on which any loss will be adjusted and paid.
- (4) If the insured under a contract with the corporation fails to file a seeded acreage report, the corporation may:
- (a) determine the insured acreage on behalf of the insured for the purposes of determining coverage under this contract, in which case the determination shall be binding on the insured and the insured shall pay a premium calculated on that insured acreage determined by the corporation together with any penalties the corporation may assess to the insured; or
 - (b) declare the insured acreage to be zero for the purposes of determining the coverage under this contract, in which case the determination shall be binding on the insured and the corporation may assess a penalty to the insured in any amount that the corporation may in its discretion determine, having regard for the premium payment that would have been payable by the insured had a seeded acreage report, been filed, and in that event the insured shall make payment of the penalty as prescribed by the corporation, including interest on any delinquent payments.
- (5) If the insured does not plant a crop that is insurable under his contract, he shall file a report so indicating.

14 Dec 84 cC-47.2 Reg 1 Form A s4; 20 Feb 87
SR 8/87 s8; 4 Sep 92 SR 81/92 s13; 15 Apr 94
SR 33/94 s9; 31 Jan 97 SR 4/97 s16; 27 Feb 98
SR 17/98 s14.

Changes in crop selection, etc.

- 5(1) Subject to subsection (3), changes must be made on or before March 31 of each year:
- (a) in the selection of crops insured;
 - (b) in the selection of percentage of average yield;
 - (c) in the election of the unit price option pursuant to section 10.1 of the regulations;
 - (d) in an election to participate in the establishment benefit for native forage, sweet clover, annual cereal crops grown for harvested fodder production, perennial grasses, alfalfa or alfalfa-grass mixtures pursuant to section 11.3 of the regulations; or
 - (e) in an election to participate in the diversification option pursuant to section 11.6 of the regulations.

(2) **Repealed.** 5 Mar 2004 SR 7/2004 s8.

(3) With respect to winter wheat or fall rye, the election to include winterkill coverage under the establishment benefit pursuant to this contract must be made on or before August 25 in the year in which the crop is seeded.

(4) Any election made pursuant to the regulations remains in force for each subsequent year unless the insured changes the election in accordance with this section.

28 Mar 2002 SR 26/2002 s10; 4 Apr 2003 SR 18/
2003 s7; 25 Apr 2003 SR 28/2003 s11; 5 Mar
2004 SR 7/2004 s8; 1 Apr 2005 SR 25/2005 s10.

6 Repealed. 27 Feb 98 SR 17/98 s14.

Notice of loss

7(1) An insured, whose crop has been damaged by one or more of the perils covered by this contract and who wishes to put all or a portion of the acreage seeded to that crop to another use, shall notify the corporation in person or in writing delivered by registered mail or personally at least five days before a field inspection is required.

(2) **Repealed.** 4 Sep 92 SR 81/92 s13.

(3) If, in any year, acreage intended for seeding remains unseeded on June 20 because of excessive moisture, the insured shall advise the corporation no later than June 25 of that year.

(3.01) If the insured advises the corporation that acreage intended for seeding remains unseeded because of excessive moisture after June 25 in a year but before July 3 of that year, any resulting indemnities will be reduced by 25%.

(3.02) No indemnity will be paid with respect to unseeded acres if the insured advises the corporation on or after July 3 of any year that acreage intended for seeding remains unseeded because of excessive moisture.

(3.1) **Repealed.** 17 Mar 2000 SR 12/2000 s11.

(4) Where, before harvest, the insured has reason to believe that his or her actual yield for any insured crop will be less than the guaranteed production, the insured shall:

(a) give the corporation written notice of that fact in order to provide the corporation with a reasonable opportunity to conduct a pre-harvest inspection;

(b) include in the notice mentioned in clause (a) an estimate of all carry-over production of insured crops in the possession of the insured or held on the insured's behalf as at the date of the notice; and

(c) store harvested production of the crop separate from any other kind of production and in a manner so that the identity of the crop is maintained.

(5) Where an insured files a claim on a crop in connection with which he has contravened clause (4)(a), (b) or (c), the corporation may count as current year's production all such production that is mixed with other production and all production which it cannot clearly identify as carryover production.

(6) Where in any year the harvested production of an insured crop is less than its total coverage, the insured, subject to subsection (8), shall advise the corporation on or before:

- (a) September 30 of that year in the case of alfalfa, dehydrated alfalfa, alfalfa-grass mixtures, perennial grasses, sweet clover or annual cereal crops grown for harvested fodder production; and
- (b) November 15 of that year in the case of insured crops other than those mentioned in clause (a).

(6.1) If the insured advises the corporation during the following periods that the harvested production of an insured crop in a year is less than its total coverage, any resulting indemnities will be reduced by 25%:

- (a) after September 30 but before November 16 of that year in the case of alfalfa, dehydrated alfalfa, alfalfa-grass mixtures, perennial grasses, sweet clover or annual cereal crops grown for harvested fodder production;
- (b) after November 15 of that year but before January 1 of the following year in the case of insured crops other than those mentioned in clause (a).

(6.2) No indemnity will be paid with respect to a crop if the insured advises the corporation on or after the following dates that the harvested production of the insured crop in a year is less than its total coverage:

- (a) November 16 of that year in the case of alfalfa, dehydrated alfalfa, alfalfa-grass mixtures, perennial grasses, sweet clover or annual cereal crops grown for harvested fodder production;
- (b) January 1 of the following year in the case of insured crops other than those mentioned in clause (a).

(6.3) In the case of alfalfa, dehydrated alfalfa, alfalfa-grass mixtures, perennial grasses, sweet clover or annual cereal crops grown for harvested fodder production, an insured must notify the corporation before the insured moves production off the farm on which the crop was produced.

(7) Subject to subsection (7.1), when in any year the harvesting of an insured crop has not been completed before the onset of winter and the harvested production is less than total coverage for that crop, the insured shall advise the corporation no later than November 15 of that year, and a final adjustment on any claim filed with respect to that crop may be deferred until the crop is totally harvested or until the unharvested acreage is put to another use with the consent of the corporation.

(7.1) Subsection (7) does not apply to alfalfa, dehydrated alfalfa, alfalfa-grass mixtures, sweet clover, perennial grasses and annual cereal crops grown for harvested fodder production.

(8) The corporation shall have the right to reject any claim submitted by an insured more than 15 days after the date that harvesting is generally completed in his locality.

(9) Upon receipt of notification of substantial damage or loss, the corporation shall appoint an adjuster to appraise the loss.

(10) On demand by the corporation the insured shall furnish the corporation and its adjuster with any information relating to the loss that the corporation may require.

14 Dec 84 cC-47.2 Reg 1 Form A s7; 27 Dec 85 SR 121/85 s7; 20 Feb 87 SR 8/87 s8; 4 Sep 92 SR 81/92 s13; 19 Apr 96 SR 12/96 s10; 31 Jan 97 SR 4/97 s16; 27 Feb 98 SR 17/98 s14; 3 Sep 99 SR 67/1999 s4; 24 Sep 99 SR 68/1999 s2; 17 Mar 2000 SR 12/2000 s11; 19 Apr 2002 SR 34/2002 s8; 25 Apr 2003 SR 28/2003 s11; 27 Mar 2009 SR 21/2009 s7.

Adjustment of loss claim

8(1) Subject to subsection (6), no adjustment for loss or damage will be made on any insured crop other than fall rye or winter wheat before June 21 in any crop year.

(1.1) **Repealed.** 17 Mar 2000 SR 12/2000 s11.

(2) No adjustment for loss or damage will be made on winter wheat and fall rye before February 1 in the year in which the insured crop is intended to be harvested.

(3) No coverage is provided and no adjustment for loss will be made in any crop year for any portion of an insured crop, other than winter wheat, fall rye, alfalfa, dehydrated alfalfa, alfalfa-grass mixtures, perennial grasses, sweet clover and annual cereal crops grown for harvested fodder production, that is seeded after the earlier of:

(a) the normal seeding date for the area, as determined by the corporation based on the normal frost-free period for the area; and

(b) June 20 in any year.

(3.1) **Repealed.** 17 Mar 2000 SR 12/2000 s11.

(3.2) **Repealed.** 17 Mar 2000 SR 12/2000 s11.

(4) No coverage is provided and no adjustment for loss or damage will be made for any portion of an insured crop that is volunteer crop.

(5) No coverage is provided and no adjustment for loss or damage will be made on winter wheat and fall rye seeded after September 15 of the year preceding the year in which the insured winter wheat and fall rye crop is intended to be harvested.

(5.1) No coverage is provided and no adjustment for loss or damage will be made on annual cereal crops grown for harvested fodder production seeded after June 30.

(5.2) No coverage is provided and no adjustment for loss or damage will be made on winter wheat and fall rye acres that have been grazed by domestic animals.

(6) Adjustments for loss or damage for the establishment benefit:

(a) are to apply:

(i) in the case of insured crops other than those mentioned in subclauses (ii) to (iv), from the date of seeding to and including June 20;

(ii) in the case of fall rye or winter wheat to be cut for feed or pastured, from the date of seeding to and including June 9;

(iii) in the case of tame legumes or perennial grasses, from the date of seeding to and including June 20 of the year following the establishment year; and

(iv) in the case of annual cereal crops grown for harvested fodder production, from the date of seeding to and including June 30;

(b) may be carried out by the corporation at any time.

(6.1) **Repealed.** 17 Mar 2000 SR 12/2000 s11.

(7) During the periods mentioned in subsection (6), the insured may, with the consent of the corporation, work down acreage sown to an insured spring-seeded or fall-seeded annual crop, and the insured is entitled to receive payment of an establishment benefit, set out in section 11.3 of the regulations, where the acreage worked down exceeds the lesser of:

(a) 10 acres; and

(b) 10% of the total acreage of the insured crop.

(8) **Repealed.** 4 Sep 92 SR 81/92 s13.

(9) **Repealed.** 4 Sep 92 SR 81/92 s13.

(10) Adjustments for yield-loss commence:

(a) subject to clause (b), on June 21 for all established crops; and

(b) on June 10 for fall rye and winter wheat that is to be cut for feed or pastured.

(10.1) Adjustment for yield-loss will not apply where adjustment for loss should have been carried out under the establishment benefit.

(11) Any indemnity payable as the result of an adjustment for yield-loss will be based on the full coverage or production guarantee less actual yield.

(12) Where a crop has been harvested, the quality of the harvest production, as determined by standards established by the Canadian Grain Commission, will be taken into account in determining the quantity of production, and all appraised production shall be regarded as being of "Designated Grade" in the calculation of an indemnity.

14 Dec 84 cC-47.2 Reg 1 Form A s8; 27 Dec 85 SR 121/85 s7; 20 Feb 87 SR 8/87 s8; 4 Sep 92 SR 81/92 s13; 31 Jan 97 SR 4/97 s16; 27 Feb 98 SR 17/98 s14; 24 Dec 98 SR 90/98 s9; 9 Jly 99 SR 50/1999 s4; 17 Mar 2000 SR 12/2000 s11; 5 Mar 2004 SR 7/2004 s8; 1 Apr 2005 SR 25/2005 s10.

8.1 Repealed. 17 Mar 2000 SR 12/2000 s11.

Acreage to be put to another use

9(1) Acreage on which there is an insured crop shall not be put to another use before it is inspected by the corporation and an appraisal agreed upon by the corporation and the insured.

(2) The corporation is not liable to the insured with respect to any acreage which has been put to another use without the agreement of the corporation in writing, but the insured is liable to the corporation for the premium on such acreage.

(3) Where an insured does not harvest all the acreage of an insured crop, an appraisal will be made on the unharvested acreage and the appraised production taken into consideration when the final adjustment is made.

(4) The corporation may at its option defer, to a date later in the crop year, the appraisal of an insured crop that has been damaged.

14 Dec 84 cC-47.2 Reg 1 Form A s9.

Reappraisal

10 If the corporation and the insured cannot reach agreement as to the extent of loss or damage suffered by the insured under the provisions of the contract as a result of damage caused by one or more of the designated natural perils, the amount shall be determined by independent appraisal as provided by section 31 of the regulations.

14 Dec 84 cC-47.2 Reg 1 Form A s10.

Negligence

11(1) Where the loss or damage claimed by the insured results from negligence, neglect or misconduct of the insured, the insurance provided by this contract is void, but the insured is not entitled to the return of monies paid as premiums or relieved from the liability for any unpaid premium owing.

(2) Where the insured makes a claim under the contract, if the corporation determines that all or part of the deficiency in yield is due to negligence, misconduct or poor farming practices of the insured, the corporation shall notify the insured that it declines to pay all or part of the claim.

14 Dec 84 cC-47.2 Reg 1 Form A s11; 27 Feb 98
SR 17/98 s14.

Life of contract, cancellation and termination

12(1) Subject to all the terms and conditions of this contract, this contract is in effect as of April 1 of the year specified in the application and continues in effect for each succeeding crop year.

(1.1) Notwithstanding subsection (1) but subject to all other terms and conditions of this contract, for an applicant approved by the corporation in 2002, this contract is in effect as of April 20, 2002 and continues in effect for each succeeding crop year.

(1.2) Notwithstanding subsections (1) and (1.1) but subject to all other terms and conditions of this contract, for an applicant approved by the corporation in 2003, this contract is in effect as of May 1, 2003 and continues in effect for each succeeding crop year.

(2) This contract may, in any year during its term, be terminated by the corporation or by the insured on either giving the other notice in writing by registered mail of the cancellation not later than March 31, and that cancellation is effective on and after April 1.

(2.1) **Repealed.** 27 Feb 98 SR 17/98 s14.

(2.2) **Repealed.** 5 Mar 2004 SR 7/2004 s8.

(3) This contract terminates on the death of the insured except where the death occurs after the beginning of the seeding of any insured crop and before the end of the insurance period in which case the contract terminates at the end of the insurance period.

(4) This contract may be terminated in any year for indebtedness on the part of an insured as at March 31 of that year or any time thereafter, and such termination is effective immediately upon the corporation's giving written notice to the insured.

(4.1) **Repealed.** 5 Mar 2004 SR 7/2004 s8.

(5) Subject to the provisions of the Act, the regulations, subsections (5.1) and (6) and section 11 of this contract, this contract may not be cancelled by either the corporation or the insured during the growing season.

(5.1) The corporation may terminate this contract if:

- (a) subject to subsection (5.11), the insured does not declare any acres seeded to insured crops in the seeded acreage report filed pursuant to section 4 in the year mentioned in the application; or
- (b) the insured does not file a seeded acreage report pursuant to section 4 in the year mentioned in the application.

(5.11) The corporation shall not terminate a contract pursuant to clause (5.1)(a) if the insured did not declare any seeded acres because the insured qualified, in the year mentioned in the application, for any of the following indemnity payments respecting the insurable crop covered by the contract:

- (a) an establishment benefit;
- (b) a payment pursuant to unseeded acreage insurance;
- (c) a payment pursuant to subsection 11.3(5) of the regulations because of destruction by gophers.

(5.2) If the corporation does terminate the contract in accordance with subsection (5.1), the termination is deemed to be effective on April 1 of the year mentioned in the application.

(6) The corporation may terminate this contract at any time if the insured:

- (a) misrepresents or fails to disclose any material fact required to be disclosed to the corporation under the terms of this contract or in the application for insurance;
- (b) is otherwise in breach of any term or condition of this contract; or
- (c) acts in a threatening manner towards any employee or representative of the corporation.

(7) Where this contract is terminated by the corporation pursuant to subsection (6), the insurance is void for the crop year in which the misrepresentation, breach or action occurred and remains void until or unless this contract is reinstated by the corporation, but the insured is not entitled to the return of moneys paid as premiums or relieved from liability for any unpaid premium owing to the corporation.

14 Dec 84 cC-47.2 Reg 1 Form A s12; 20 Feb 87 SR 8/87 s8; 4 Sep 92 SR 81/92 s13; 31 Jan 97 SR 4/97 s16; 27 Feb 98 SR 17/98 s14; 17 Mar 2000 SR 12/2000 s11; 28 Mar 2002 SR 26/2002 s10; 4 Apr 2003 SR 18/2003 s7; 5 Mar 2004 SR 7/2004 s8; 24 Mar 20/2006 s5; 14 Mar 2008 SR 10/2008 s9.

Subrogation

13 Where the corporation has paid a claim of the insured, all rights of the insured to claim against a third person, other than for other insurance, for loss or damage to the insured crop are hereby assigned to the corporation to the extent of the amount of loss paid by the corporation to the insured for such loss or damage.

14 Dec 84 cC-47.2 Reg 1 Form A s13.

Collateral assignment

14(1) The insured may assign his right to an indemnity for an insured crop in any crop year under this contract but any such assignment shall be in the form approved by the corporation and shall not be binding on the corporation until accepted in writing by the corporation.

(2) An assignee under this contract shall have the same right as the insured to file a claim for loss or damage to the insured crop where the insured does not file a claim.

14 Dec 84 cC-47.2 Reg 1 Form A s14.

Records and access to farm

15(1) The insured must at all times keep adequate and accurate records of his or her farming practices.

(2) The corporation may, at any time, require the insured to produce the records mentioned in subsection (1), and any persons designated by the corporation shall have access to those records and to the insured's farm at any reasonable time for the purpose of determining any matters arising out of this contract.

(3) The corporation may, at any time, request the Canadian Wheat Board, or any other individual, organization or corporation, to provide the corporation with information respecting the farming operations of the insured, and the insured by entering into this contract shall be deemed to have authorized and consented to the release of that information to the corporation.

14 Dec 84 cC-47.2 Reg 1 Form A s15; 20 Feb 87 SR 8/87 s8; 15 Apr 94 SR 33/94 s9; 27 Feb 98 SR 17/98 s14.

Waiver and alteration

16 No term or condition of this contract is deemed to have been waived or altered by the corporation unless the waiver or alteration is expressed in writing in a form authorized by the corporation and signed by a duly authorized representative of the corporation.

14 Dec 84 cC-47.2 Reg 1 Form A s16.

Changes in the contracts

17(1) The corporation reserves the right to add to or amend this contract to change the insurable crops, premium rates, coverage, unit price option and other terms and conditions of this contract from year to year.

(1.1) The corporation shall, on or before the relevant cancellation date mentioned in subsection 12(2) or (2.2), provide written notice to the insured of any amendment to the contract mentioned in this section by:

- (a) personal delivery; or
- (b) ordinary mail sent to the most current address of the insured that is indicated in the records of the corporation.

(1.2) A notice provided in accordance with this section shall be deemed to have been received:

- (a) on the day of actual delivery if provided by personal delivery; or
- (b) on the fifth day after the day on which it was mailed, if provided by ordinary mail.

(1.3) **Repealed.** 17 Mar 2000 SR 12/2000 s11.

(2) **Repealed.** 4 Sep 92 SR 81/92 s13.

14 Dec 84 cC-47.2 Reg 1 Form A s17; 20 Feb 87 SR 8/87 s8; 4 Sep 92 SR 81/92 s13; 27 Feb 98 SR 17/98 s14; 9 Jly 99 SR 50/1999 s4; 17 Mar 2000 SR 12/2000 s11; 28 Mar 2002 SR 26/2002 s10; 25 Apr 2003 SR 28/2003 s11.

Contract subject to the act

18 The parties to this contract agree that its terms and conditions are subject to the provisions of the Act and the regulations.

14 Dec 84 cC-47.2 Reg 1 Form A s18.

Date of filing

19 Any document filed or received by the corporation under this contract is deemed to be filed or received on the date indicated on the document by the corporation as the date that the document was filed or received by the corporation.

14 Dec 84 cC-47.2 Reg 1 Form A s19.

Date of receipt

20 Any document delivered by registered mail is deemed to be received by the addressee on the earlier of:

- (a) the date of the receipt from the postmaster for the document; and
- (b) the date on which an official post office receipt form for the document is signed by the addressee or a representative of the addressee.

27 Feb 98 SR 17/98 s14.

21 Repealed. 24 Mar 2006 SR 20/2006 s5.

Form B **Repealed.** 4 Sep 92 SR 81/92 s14.

Form C **Repealed.** 4 Sep 92 SR 81/92 s15.

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SR 444/67	The Alkali Mining Regulations
M-16 Reg 1	<i>The Bayhurst Viking Voluntary Gas Unit Regulations</i>
C-50.2 Reg 3	<i>The Coal Disposition Regulations, 1988</i>
C-50.2 Reg 25	<i>The Crown Mineral Transfer Regulations, 2005</i>
C-50.2 Reg 9	<i>The Crown Oil and Gas Royalty Regulations</i>
SR 263/70	<i>The Delayed Payment Charge Regulations, 1970</i>
C-50.2 Reg 7	<i>The Lease of Spaces Regulations</i>
SR 30/86	The Mineral Disposition Regulations, 1986
C-50.2 Reg 5	<i>The Mineral Trust Revestiture Regulations</i>
SR 555/64	Oil Shale Regulations
SR 8/69	The Petroleum and Natural Gas Regulations, 1969
C-50.2 Reg 10	<i>The Primrose Lake Air Weapons Range Permit Regulations, 1995</i>
SR 553/67	The Quarrying Regulations, 1957
SR 541/67	The Subsurface Mineral Regulations, 1960
SR 270/69	Tailings, disposal area
C-50.2 Reg 13	<i>The Weyburn Unit CO₂ Crown Oil Royalty Regulations</i>

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- D-12.11 Reg 1 *The Small Business Loans Association Program Regulations*

Under *The Department of Health Act*, c.D-17

- D-17 Reg 5 *The Chiroprody Services Regulations*
- D-17 Reg 7 *The Community Therapy Regulations*
- D-17 Reg 11 *The Drug Plan Medical Supplies Regulations*
- D-17 Reg 10 *The Health Professions Training Bursary Regulations*
- SR 292/76 *Saskatchewan Aids to Independant Living Regulations, 1976*

Under *The Department of Justice Act*, c.D-18.2

- D-18.2 Reg 1 *The Community Service Order Program Regulations*
- D-18.2 Reg 3 *The Mediation Services Fees Regulations, 1994*

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- D-22.01 Reg 1 *The Training Program Regulations*

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- D-23 Reg 4 *The Department of Social Services Central Trust Account Regulations*
- D-23 Reg 3 *The Social Services Rehabilitation Institutional Collective
Benefit Funds and Trust Account Regulations*

Under *The Department of Urban Affairs Act*, c.D-24.1

- D-24.1 Reg 15 *The Municipal Transit Assistance for People with Disabilities Regulations, 2003*
- D-24.1 Reg 8 *The Urban Loan Assistance Program Regulations*

Under *The Dependants' Relief Act, 1996/ Loi de 1996 sur l'aide aux personnes à charge*, c.D-25.01

- D-25.01 Reg 1/ *The Dependants' Relief Trust Fund Regulations, 1997/*
- D-25,01 Règl 1 *Règlement de 1997 sur les fonds en fiducie des personnes à charge*

Under *The Direct Sellers Act*, c.D-28

- D-28 Reg 2 *The Direct Sellers Regulations, 1997*

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- D-30 Reg 1 *The Diseases of Domestic Game Farm Animals Regulations*

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- D-31 Reg 1 *The Distress Act Fees Amendment Regulations*

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Under *The Education Act, 1995/Loi de 1995 sur l'éducation*, c.E-0.2/E-0,2

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E-0.1 Reg 1	<i>The Education Regulations, 1986</i>
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E-0.1 Reg 18	<i>The School Division Tax Loss Compensation Fund Administration Regulations</i>

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E-0.2 Reg 18	<i>The 2007-2008 School Grant Regulations</i>
E-0.2 Reg 11/ E-0.2 Règl 11	<i>The Teacher Certification and Classification Regulations, 2002/Règlement de 2002 sur l'attribution des brevets aux enseignants et la classification des enseignants</i>

The Information Technology Office Service Regulations

being

Chapter E-0.011 Reg 1 (effective August 16, 2006) as amended
by Saskatchewan Regulations 80/2007, 38/2008 and 36/2009.

NOTE:

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CHAPTER E-0.011 REG 1

The Economic and Co-operative Development Act

Title

1 These regulations may be cited as *The Information Technology Office Service Regulations*.

Prescribed public agencies

2 For the purposes of clause 2(d) of *The Economic and Co-operative Development Act*, the following are prescribed as prescribed public agencies:

- (a) Saskatchewan Grain Car Corporation;
- (b) Saskatchewan Municipal Board; and(c) Saskatchewan Housing Corporation;
- (c) Saskatchewan Housing Corporation;
- (d) the Saskatchewan Apprenticeship and Trade Certification Commission;
- (e) The Saskatchewan Legal Aid Commission;
- (f) the Public Guardian and Trustee of Saskatchewan;
- (g) Enterprise Saskatchewan.

25 Aug 2006 cE-0.011 Reg 1 s2; 7 Sep 2007 SR 80/2007 s2; 20 Jne 2008 SR 38/2008 s2; 24 Apr 2009 SR 36/2009 s2.

Coming into force

3 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

25 Aug 2006 cE-0.011 Reg 1 s3.

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E

Under *The Education Property Tax Credit Act*, c.E-4.1

E-4.1 Reg 1 *The Education Property Tax Credit Regulations*

Under *The Election Act*, 1996, c.E-6.01

E-6.01 Reg 1 *The Election Act Regulations*

E-6.01 Reg 2 *The Election Forms (Chief Electoral Officer) Regulations*

Under *The Electrical Inspection Act*, 1993, c.E-6.3

E-6.3 Reg 12 *The Canadian Electrical Code (Adoption) Regulations, 2009*

E-6.3 Reg 13 *The Canadian Electrical Code (Saskatchewan Amendments) Regulations, 2009*

E-6.3 Reg 1 *The Electrical Inspection Regulations*

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Under *The Electrical Licensing Act*, c.E-7.2

E-7.2 Reg 1 *The Electrical Contractor's Guarantee Bond Regulations, 1988*

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Under *The Electronic Information and Documents Act*, c.E-7.22

E-7.22 Reg 1 *The Information and Document Regulations, 2000*

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E-7.3 Reg 1 *The Public Safety Answering Point Regulations*

Under *The Emergency Planning Act*, c.E-8.1

E-8.1 Reg 1 *The Provincial Disaster Assistance Program Regulations, 1993*

Under *The Emergency Protection for Victims of Child Sexual Abuse and Exploitation Act*, c.E-8.2

E-8.2 Reg 1 *The Emergency Protection for Victims of Child Sexual Abuse and Exploitation Regulations*

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- E-9.10001 Reg 2 *The Fuel Oil and Propane Grants Regulations*
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Under *The Enforcement of Maintenance Orders Act, 1997/Loi de 1997 sur l'exécution des ordonnances alimentaires*, c.E-9.21/E-9.21

- E-9.21 Reg 1/ *The Enforcement of Maintenance Orders Regulations, 1998/*
- E-9.21 Règl 1 *Règlement de 1998 sur l'exécution des ordonnances alimentaires*

Under *The Enterprise Saskatchewan Act*, c.E-10.01

- E-10.01 Reg 1 *The Enterprise Saskatchewan Regulations*

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- D-14 Reg 1 *The Environmental Spill Control Regulations*
- E-10.2 Reg 3 *The Hazardous Substances and Waste Dangerous Goods Regulations*
- E-10.2 Reg 7 *The Mineral Industry Environmental Protection Regulations, 1996*
- E-10.2 Reg 4 *The Municipal Refuse Management Regulations*
- E-10.2 Reg 6 *The PCB Waste Storage Regulations*
- E-10.2 Reg 1 *The Reservoir Development Area Regulations*
- E-10.2 Reg 9 *The Scrap Tire Management Regulations*
- E-10.2 Reg 8 *The Used Oil Collection Regulations*

Under *The Environmental Management and Protection Act, 2002*, c.E-10.21

- E-10.21 Reg 2 *The Halocarbon Control Regulations`*
- E-10.21 Reg 4 *The Waste Electronic Equipment Regulations*
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- E-10.21 Reg 1 *The Water Regulations, 2002*

Under *The Ethanol Fuel Act*, c.E-11.1

- E-11.1 Reg 1 *The Ethanol Fuel (General) Regulations*

Under *The Expropriation Procedure Act*, c.E-16

- E-16 Reg 1 *The Expropriation Procedure Regulations*

F

Under *The Family Maintenance Act, 1997/Loi de 1997 sur les prestations alimentaires familiales* c.F-6.2/F-6.2

- F-6.2 Reg 1/ *The Family Maintenance Regulations, 1998/*
- F-6.2 Règl 1 *Règlement de 1998 sur les prestations alimentaires familiales*

Under *The Farm Financial Stability Act*, c.F-8.001

- F-8.001 Reg 14 *The Agricultural Income Disaster Assistance Program Regulations*
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F-8.001 Reg 35	<i>The Farm and Ranch Water Infrastructure Program Regulations</i>
F-8.001 Reg 17	<i>The Farm Land Education Tax Rebate Regulations</i>
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F-8.001 Reg 28	<i>The Ruminant (Non-bovine) Industry Transitional Program Regulations</i>
F-8.001 Reg 37	<i>The Saskatchewan Cattle and Hog Support Program Regulations</i>
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Under *The Farmers' Counselling and Assistance Act*, c.F-9.1

F-9.1 Reg 2	<i>The Farmers' Counselling and Assistance Regulations, 1985</i>
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Under *The Film Employment Tax Credit Act*, c.F-13.11

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Under *The Film and Video Classification Act*, c.F-13.2

F-13.2 Reg 2	<i>The Film and Video Classification Regulations, 1997</i>
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Under *The Financial Administration Act*, 1993, c.F-13.4

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F-13.4 Reg 12	<i>The Canada Pension Plan Survivor's Benefit Income Tax Remission Regulations</i>
F-13.3 Reg 8	<i>The Canadian Armed Forces Income Tax Remission Regulations</i>
F-13.4 Reg 5	<i>The Child Care Expense and Moving Expense Remission Regulations</i>
F-13.4 Reg 25	<i>The Corporation Capital Tax (Resource Company) Exemption Regulations</i>
F-13.4 Reg 31	<i>The Crown-acquired Lease Royalty Exemption Regulations</i>
F-13.4 Reg 32	<i>The Energy-Efficient Household Appliances (Provincial Sales Tax) Remission and Exemption Regulations, 2005</i>
F-13.4 Reg 33	<i>The Enhanced Oil Recovery Injectable Substances (Fuel Tax and Provincial Sales Tax) Exemption and Remission Regulations, 2005</i>
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F-13.4 Reg 28	<i>The Insurance Premiums Tax (Mutual Insurance Companies – Farm Property) Exemption and Remission Regulations</i>
F-13.4 Reg 38	<i>The Insurance Premiums Tax (Mutual Insurance Companies – Non-farm Property) Exemption and Remission Regulations</i>
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F-13.4 Reg 13	<i>The Used Light Vehicles (Provincial Sales Tax) Exemption and Remission Regulations</i>
F-13.4 Reg 13	<i>The Vow of Perpetual Poverty Income Tax Remission Regulations</i>

The Reservoir Development Area Regulations

being

Chapter E-10.2 Reg 1 (effective September 9, 1985) as amended by Saskatchewan Regulations 90/87, 23/89, 52/90, 12/92, 76/95, 7/96, 28/2001, 81/2004, 28/2006 and 24/2009.

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Applications under *The Planning and Development Act*

31(1) No person shall apply, pursuant to *The Planning and Development Act, 1983*, to the Minister of Rural Development, the Minister of Urban Affairs or the council of the municipality within whose boundaries the land lies for the approval of a plan of subdivision of land lying within a reservoir development area, unless the application is accompanied by the minister's written approval of the uses proposed in the subdivision plan.

(2) The minister may refuse to issue a development permit for the use of land in a subdivision where the application for approval of the subdivision plan is not accompanied by his written approval.

13 Sep 85 cE-10.2 Reg 1 s31.

Repeal

32 The Reservoir Development Area Regulations, 1976, being Saskatchewan Regulations 212/76, are repealed.

13 Sep 85 cE-10.2 Reg 1 s32.

Appendix**RESERVOIR DEVELOPMENT AREAS****Avonlea Creek Reservoir Development Area****Designation of reservoir development area**

1(1) The following lands, all west of the Second Meridian, as shown on the map mentioned in subsection (2), are hereby designated as the Avonlea Creek Reservoir Development Area:

(a) Range 22:

(i) Township 11, the north half of Section 22;

(ii) Township 12:

(A) Section 5;

(B) north half of Section 6;

(C) Section 7;

(D) the south-west quarter of Section 8;

(E) the west half of Section 18;

(b) Range 23, Township 12:

(i) the east half of Section 12;

(ii) east half of Section 13.

(2) The boundaries of the Avonlea Creek Reservoir Development Area are as shown on a map on file in the office of the Director of the Land Protection Branch of the department, entitled "General Plan, Reservoir Development Area, Avonlea Creek Reservoir", drawn July 1, 1985 and signed by the Deputy Minister of the Environment.

13 Sep 85 cE-10.2 Reg 1; 21 Aug 87 SR 90/87 s2.

Project

2 The dam and reservoir as shown on Plans 42279-8 and 42279-9 on file in the office of the Saskatchewan Water Corporation, are hereby designated as the project for the Avonlea Creek Reservoir Development Area.

13 Sep 85 cE-10.2 Reg 1.

Restricted building area

3 The area that lies between the Avonlea Reservoir and the restricted building area boundary, as shown on the map mentioned in subsection 1(2), is hereby designated as the restricted building area for the Avonlea Creek Reservoir Development Area.

13 Sep 85 cE-10.2 Reg 1.

Land use districts

4(1) The Avonlea Creek Reservoir Development Area is hereby divided into the following land use districts:

- (a) large acreage agricultural district;
- (b) public recreation district;
- (c) residential recreation district.

(2) The boundaries of the land use districts described in subsection (1) are as shown on the map mentioned in subsection 1(2).

13 Sep 85 cE-10.2 Reg 1.

Blackstrap Reservoir Development Area

Designation of reservoir development area

1(1) Subject to subsection (2), the following lands, all west of the Third Meridian, as shown on the map described in subsection (3), are hereby designated as the Blackstrap Reservoir Development Area:

- (a) Range 3:
 - (i) Township 32, Sections 30, 31 and 32;
 - (ii) Township 33, Sections 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 28 and 29;

(b) Range 4:

(i) Township 32:

- (A) the east half of Section 10;
- (B) Sections 11, 12, 13 and 14;
- (C) the south-east quarter of Section 15;
- (D) Sections 23, 24, 25 and 26;
- (E) the east half of Section 34;
- (F) Sections 35 and 36;

(ii) Township 33:

- (A) Sections 1, 2 and 3;
- (B) the south half of Section 10;
- (C) the south half of Section 11;
- (D) the south half of Section 12.

(2) The following lands, all west of the Third Meridian in Range 4, lying to the west of Provincial Highway No. 11, are excluded from the Blackstrap Reservoir Development Area:

- (a) Township 32, the east half of Section 34;
- (b) in Township 33:
 - (i) Section 3;
 - (ii) the south half of Section 10.

(3) The boundaries of the Blackstrap Reservoir Development Area are as shown on a map entitled "General Plan, Reservoir Development Area, Blackstrap Reservoir", drawn December 15, 2008, signed by the President of the Saskatchewan Watershed Authority, and on file in the office of the Director of the Basin Operations Branch of the Saskatchewan Watershed Authority.

13 Sep 85 cE-10.2 Reg 1; 12 May 89 SR 23/89
s5; 10 Sept 2004 SR 81/2004 s9; 27 Mar 2009
SR 24/2009 s2.

Project

2 The Saskatoon-Southeast Water Supply Project approved by Order in Council 629/66, dated March 29, 1966, is hereby designated as the project for the Blackstrap Reservoir Development Area.

13 Sep 85 cE-10.2 Reg 1.

Restricted building area

3 The area that lies between the Blackstrap Reservoir and the restricted building area boundary, as shown on the map mentioned in subsection 1(3), is hereby designated as the restricted building area for the Blackstrap Reservoir Development Area.

13 Sep 85 cE-10.2 Reg 1.

Land use districts

4(1) The Blackstrap Reservoir Development Area is hereby divided into the following land use districts:

- (a) large acreage agricultural district;
- (b) public recreation district;
- (c) institutional recreation district;
- (d) residential recreation district;
- (e) commercial recreation district;
- (f) highway commercial district;
- (g) small acreage agricultural district.

(2) The boundaries of the land use districts mentioned in subsection (1) are as shown on the map mentioned in subsection 1(3).

13 Sep 85 cE-10.2 Reg 1; 10 Sept 2004 SR 81/
2004 s9.

Bradwell Reservoir Development Area**Designation of reservoir development area**

1(1) The following lands, all west of the Third Meridian in Range 2, Township 34, as shown on the map mentioned in subsection (2), are hereby designated as the Bradwell Reservoir Development Area:

- (a) the north half of Section 14;
- (b) the north half of Section 15;
- (c) Sections 22 and 23.

(2) The boundaries of the Bradwell Reservoir Development Area are as shown on a map on file in the office of the Director of the Land Protection Branch of the department, entitled "General Plan, Reservoir Development Area, Bradwell Reservoir", drawn July 1, 1985 and signed by the Deputy Minister of the Environment.

13 Sep 85 cE-10.2 Reg 1; 21 Aug 87 SR 90/87
s2.

Project

2 The Saskatoon-Southeast Water Supply Project approved by Order in Council 629/66, drawn March 9, 1966, is hereby designated as the project for the Bradwell Reservoir Development Area.

13 Sep 85 cE-10.2 Reg 1.

Restricted building area

3 The area that lies between the Bradwell Reservoir and the restricted building area boundary, as shown on the map mentioned in subsection 1(2), is hereby designated as the restricted building area for the Bradwell Reservoir Development Area.

13 Sep 85 cE-10.2 Reg 1.

Land use district

4 All the land in the Bradwell Reservoir Development Area is hereby designated as a large acreage agricultural land use district.

13 Sep 85 cE-10.2 Reg 1.

Brightwater Reservoir Development Area**Designation of reservoir development area**

1(1) The following lands, all west of the Third Meridian in Range 4, Township 30, as shown on the map mentioned in subsection (2), are hereby designated as the Brightwater Reservoir Development Area:

- (a) the north-east quarter of Section 9;
- (b) the north half of Section 10;
- (c) Sections 15 and 16;
- (d) the north half of Section 17;
- (e) the east half of Section 19;
- (f) Sections 20 and 21;
- (g) the south-west quarter of Section 22;
- (h) Section 29;
- (i) the east half of Section 30;
- (j) the east half of Section 31;
- (k) Section 32.

(2) The boundaries of the Brightwater Reservoir Development Area are as shown on a map on file in the office of the Director of the Land Protection Branch of the department, entitled "General Plan, Reservoir Development Area, Brightwater Reservoir", dated September 1, 1985 and revised March 25, 1987 and signed by the Deputy Minister of the Environment.

13 Sep 85 cE-10.2 Reg 1; 21 Aug 87 SR 90/87
s2.

Project

2 The Saskatoon-Southeast Water Supply Project approved by Order In Council 629/66, dated March 29, 1966, is hereby designated as the project for the Brightwater Reservoir Development Area.

13 Sep 85 cE-10.2 Reg 1.

Restricted building area

3 The area that lies between the Brightwater Reservoir and the restricted building area boundary, as shown on the map mentioned in subsection 1(2), is hereby designated as the restricted building area for the Brightwater Reservoir Development Area.

13 Sep 85 cE-10.2 Reg 1.

Land use district

4(1) Subject to subsection (2), all the land in the Brightwater Reservoir Development Area is hereby designated as a large acreage agricultural land use district.

(2) The north-east quarter of Section 32, in Range 4, in Township 30, west of the Third Meridian, described as the most northerly 792 feet in perpendicular width throughout the most easterly 660 feet in perpendicular depth throughout, is hereby designated as a small acreage agricultural land use district.

13 Sep 85 cE-10.2 Reg 1; 21 Aug 87 SR 90/87
s2.

Dellwood Reservoir Development Area

Designation of reservoir development area

1(1) The following lands, all west of the Second Meridian in Range 24, as shown on the map mentioned in subsection (2), are hereby designated as the Dellwood Reservoir Development Area:

- (a) Township 32, Sections 33 and 34;
- (b) Township 33:
 - (i) Sections 3 and 4;
 - (ii) the east half of Section 9;
 - (iii) Section 10;

- (iv) the north-west quarter of Section 14;
- (v) Section 15;
- (vi) the south-east quarter of Section 16;
- (vii) the south-east quarter of Section 22;
- (viii) the west half of Section 23.

(2) The boundaries of the Dellwood Reservoir Development Area are as shown on a map on file in the office of the Director of the Land Protection Branch of the department, entitled "General Plan, Reservoir Development Area, Dellwood Reservoir", drawn July 1, 1985 and signed by the Deputy Minister of the Environment.

13 Sep 85 cE-10.2 Reg 1; 21 Aug 87 SR 90/87
s2.

Project

2 The Saskatoon-Southeast Water Supply Project approved by Order in Council 629/66, dated March 29, 1966, is hereby designated as the project for the Dellwood Reservoir Development Area.

13 Sep 85 cE-10.2 Reg 1.

Restricted building area

3 The area that lies between the Dellwood Reservoir and the restricted building area boundary, as shown on the map mentioned in subsection 1(2), is hereby designated as the restricted building area for the Dellwood Reservoir Development Area.

13 Sep 85 cE-10.2 Reg 1.

Land use district

4 All the land in the Dellwood Reservoir Development Area is hereby designated as a large acreage agricultural land use district.

13 Sep 85 cE-10.2 Reg 1.

Lake Diefenbaker Reservoir Development Area

Designation of reservoir development area

1(1) Subject to subsection (2), the following lands, all west of the Third Meridian, as shown on the map mentioned in subsection (3), are hereby designated as the Lake Diefenbaker Reservoir Development Area:

- (a) Range 3, Townships 22, 23 and 24;
- (b) Range 4, Townships 22, 23, 24 and 25;
- (c) Range 5:
 - (i) Townships 22, 23, 24 and 25;
 - (ii) Township 26, Sections 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32 and 33;
 - (iii) Townships 27, Sections 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32 and 33;

- (d) Range 6, Townships 22, 23, 24, 25, 26 and 27;
 - (e) Range 7, Townships 20, 21, 22, 23, 24, 25, 26 and 27;
 - (f) Range 8:
 - (i) Townships 20, 21, 22 and 23;
 - (ii) Township 24, Sections 1, 2, 11, 12, 13, 14, 23, 24, 25, 26, 35 and 36;
 - (iii) Township 25, Sections 1, 2, 11, 12, 13, 14, 23, 24, 25, 26, 35 and 36;
 - (iv) Township 26, Sections 1, 2, 11, 12, 13, 14, 23, 24, 25, 26, 35 and 36;
 - (v) Township 27, Sections 1, 2, 11, 12, 13, 14, 23, 24, 25, 26, 35 and 36;
 - (g) Range 9, Townships 20 and 21;
 - (h) Range 10, Townships 19, 20 and 21;
 - (i) Range 11, Townships 19 and 20;
 - (j) Range 12, Townships 19 and 20;
 - (k) Range 13, Townships 19 and 20;
 - (l) Range 14, Townships 19 and 20;
 - (m) Range 15, Townships 19 and 20;
 - (n) Range 16, Townships 19 and 20;
 - (o) Range 17, Townships 19, 20 and 21;
 - (p) Range 18, Townships 20, 21, 22 and 23;
 - (q) Range 19, Townships 21, 22 and 23; and
 - (r) Range 20, Townships 22 and 23.
- (2) The following lands are excluded from the Lake Diefenbaker Lake Reservoir Development Area:
- (a) all land within the boundaries of the Villages of Birsay, Lawson, Riverhurst, Stewart Valley and Tugaske;
 - (b) the following lands all west of the Third Meridian in Township 25, Range 5 which contain the village of Elbow:
 - (i) Legal Subdivisions 1, 2, 3, 6, 7, 8, 9, 10, 11, 12 (except Parcel N), 13, 14, 15 and 16, in Section 11; and
 - (ii) the south half of Section 14;
 - (c) the following lands all west of the Third Meridian in Range 10, which contain the Hamlet of Main Centre:
 - (i) Township 18, the north half of Section 32;
 - (ii) Township 19:
 - (A) the east half of Section 5;
 - (B) the west half of Section 4;
 - (d) the south half of Section 11, Township 26, Range 7, west of the Third Meridian, which contains the Hamlet of Dunblane.

(3) The boundaries of the Lake Diefenbaker Reservoir Development Area are as shown on a map entitled "General Plan, Reservoir Development Area, Lake Diefenbaker", drawn December 15, 2008, signed by the President of the Saskatchewan Watershed Authority, and on file in the office of the Director of the Basin Operations Branch of the Saskatchewan Watershed Authority.

13 Sep 85 cE-10.2 Reg 1; 21 Aug 87 SR 90/87
s2; 6 Mar 92 SR 12/92 s3; 5 Jan 96 SR 76/95 s2;
27 Mar 2009 SR 24/2009 s2.

Project

2 The South Saskatchewan River Project, the works of which are described in Appendix A to the Schedule of *The South Saskatchewan River Development Commission Act, 1959*, Statutes of Saskatchewan 1959, chapter 100, as that Act existed on November 30, 1964, is hereby designated as the project for the Lake Diefenbaker Reservoir Development Area.

13 Sep 85 cE-10.2 Reg 1.

Restricted building area

3 The area within the Lake Diefenbaker Reservoir Development Area that lies between the South Saskatchewan River and the restricted building area boundary, as shown on a map mentioned in subsection (3), is hereby designated as the restricted building area for the Lake Diefenbaker Reservoir Development Area.

13 Sep 85 cE-10.2 Reg 1.

Land use districts

4(1) The Lake Diefenbaker Reservoir Development Area is hereby divided into the following land use districts:

- (a) large acreage agricultural district;
- (b) small acreage agricultural district;
- (c) residential district;
- (d) commercial district;
- (e) highway commercial district;
- (f) limited commercial district;
- (g) industrial district;
- (h) public recreation district;
- (i) residential recreation district;
- (j) institutional recreation district; and
- (k) commercial recreation district.

(2) The boundaries of the land use districts mentioned in subsection (1) are as shown on the following maps on file with the Director of the Basin Operations Branch of the Saskatchewan Watershed Authority:

- (a) "General Plan, Reservoir Development Area, Gardiner Dam", drawn July 1, 1985;
- (b) "General Plan, Reservoir Development Area, Qu'Appelle Dam", drawn July 1, 1985;
- (c) "General Plan, Reservoir Development Area, Riverhurst", drawn July 1, 1985 and revised February 20, 1990;
- (d) "General Plan, Reservoir Development Area, Saskatchewan Landing", drawn July 1, 1985;
- (e) "General Plan, Reservoir Development Area, Birsay", drawn July 1, 1985 and revised March 1, 1989;
- (f) "General Plan, Reservoir Development Area, Elbow", drawn December 15, 2008;
- (g) "General Plan, Reservoir Development Area, Antelope Creek", drawn July 1, 1985;
- (h) "General Plan, Reservoir Development Area, Eston", drawn July 1, 1985;
- (i) "General Plan, Reservoir Development Area, Herbert Ferry", drawn July 1, 1985;
- (j) "General Plan, Reservoir Development Area, Snakebite", drawn December 15, 2008.

13 Sep 85 cE-10.2 Reg 1; 21 Aug 87 SR 90/87 s2; 12 May 89 SR 23/89 s5; 13 Jly 90 SR 52/90 s2; 6 Mar 92 SR 12/92 s4; 5 Jan 96 SR 76/95 s2; 13 Apr 2006 SR 28/2006 s5; 27 Mar 2009 SR 24/2009 s2.

Zelma Reservoir Development Area

Designation of reservoir development area

1(1) Subject to subsection (2), the following lands all west of the Second Meridian, as shown on the map mentioned in subsection (3), are hereby designated as the Zelma Reservoir Development Area:

- (a) Range 27, Township 33, Sections 7, 18 and 19;
- (b) Range 28, Township 33:
 - (i) the north-east quarter of Section 11;

(ii) Sections 12, 13, 14, 23 and 24.

(2) The following lands all west of the Second Meridian lying to the south and west of a certain surveyed road as shown on a Plan of Record in the Saskatoon Land Titles Office as No. CW 3623, are excluded from the Zelma Reservoir Development Area:

(a) Range 27, Township 33, Section 7;

(b) Range 28, Township 33, Sections 11, 12 and 14.

(3) The boundaries of the Zelma Reservoir Development Area are as shown on a map on file in the office of the Director of the Land Protection Branch of the department, entitled "General Plan, Reservoir Development Area, Zelma Reservoir", drawn July 1, 1985 and signed by the Deputy Minister of the Environment.

13 Sep 85 cE-10.2 Reg 1; 21 Aug 87 SR 90/87
s2.

Project

2 The Saskatoon-Southeast Water Supply Project approved by Order in Council 629/66, dated March 29, 1966, is hereby designated as the project for the Zelma Reservoir Development Area.

13 Sep 85 cE-10.2 Reg 1.

Restricted building area

3 The area that lies between the Zelma Reservoir and the restricted building area boundary, as shown on the map mentioned in subsection 1(3), is hereby designated the restricted building area for the Zelma Reservoir Development Area.

13 Sep 85 cE-10.2 Reg 1.

Land use district

4 All the land in the Zelma Reservoir Development Area is hereby designated as a large acreage agricultural land use district.

13 Sep 85 cE-10.2 Reg 1.

*The
Canada-
Saskatchewan
Specified Risk
Material Management
Program
Regulations*

being

Chapter F-8.001 Reg 32 (effective March 28, 2007) as amended
by Saskatchewan Regulations 99/2007, 39/2008 and 30/2009.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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Eligible expenditures

7(1) Subject to subsections (3) and (5), the minister may approve as eligible expenditures any of the expenditures mentioned in subsection (2), if those expenditures:

- (a) are incurred by an eligible applicant for an approved eligible project;
- (b) meet generally accepted accounting principles in Canada;
- (c) can be capitalized as a project start-up cost; and
- (d) were invoiced to an eligible applicant on or after December 11, 2004 and before March 31, 2010.

(2) For the purposes of subsection (1), the following are the expenditures that may be approved:

- (a) subject to subsection (3), the purchase cost of capital items dedicated to the removal, segregation, storage, transportation, disposal or destruction of specified risk material;
- (b) construction costs of building facilities dedicated to the removal, segregation, storage, transportation, disposal or destruction of specified risk material;
- (c) costs related to site excavation and preparation dedicated to the removal, segregation, storage, transportation disposal or destruction of specified risk material;
- (d) costs of services provided for the purposes of the approved eligible project, including salaries, per diem fees, environmental assessment, design, engineering, programming and research dedicated for the removal, segregation, storage, transportation, disposal or destruction of specified risk material;
- (e) costs of installation services;
- (f) freight charges;
- (g) transportation costs;
- (h) insurance cost;
- (i) duties;
- (j) any other costs approved by the minister.

(3) The minister may approve as an eligible expenditure the purchase cost of motorized mobile equipment that is a capital item but only to a maximum of 25% of the purchase cost, and none of those purchase costs are eligible to be reimbursed as final prorated assistance payments if the minister is required to make final prorated assistance payments pursuant to section 11.

(4) In addition to the costs and charges mentioned in subsections (1) to (3), the minister may approve as an eligible expenditure any costs that:

- (a) were incurred by an eligible applicant after April 30, 2007 and before October 1, 2007; and
- (b) relate to the transportation of rendered specified risk material originating in Saskatchewan to a CFIA approved facility that is located outside of Saskatchewan.

- (5) The following are not eligible to be approved as eligible expenditures:
- (a) interest payments;
 - (b) financing costs;
 - (c) costs relating to relocation of staff;
 - (d) training costs;
 - (e) production staff salaries;
 - (f) brokers' commissions;
 - (g) goodwill;
 - (h) costs relating to the acquisition of real property;
 - (i) costs of capital items that the minister is satisfied are not specifically required for the execution of the approved eligible project;
 - (j) taxes;
 - (k) any other expenditure that the minister determines is ineligible.

5 Apr 2007 cF-8.001 Reg 32 s7; 20 Jne 2008 SR
39/2008 s6; 3 Apr 2009 SR 30/2009 s3.

Application and approval of eligible projects

- 8(1) An eligible applicant who wishes to receive an assistance payment shall:
- (a) apply for approval of the eligible project to the minister on a form available from the minister; and
 - (b) supply, along with the application, evidence satisfactory to the minister to establish that the CFIA approved facility, or licensed packing plant, that is the subject of the application is located in Saskatchewan.
- (2) An eligible applicant shall apply for approval of the eligible project on or before December 31, 2008.
- (2.1) An eligible applicant shall provide, with the application, the estimated costs of the eligible project.
- (3) The minister may require an eligible applicant to provide the minister with:
- (a) if the minister considers it appropriate, a feasibility study and a comprehensive business plan respecting the eligible project; and
 - (b) any additional information that the minister may reasonably require to evaluate the application or ensure compliance with these regulations.
- (4) An eligible applicant shall supply any information that the minister may request within the time specified by the minister.
- (5) An eligible applicant shall allow the minister or anyone designated by the minister to inspect the CFIA approved facility, or licensed packing plant, that is the subject of the eligible applicant's application.

(6) No eligible applicant shall supply any false or misleading information to the minister on any application form or in response to any request for information from the minister.

(7) An eligible applicant shall provide the minister with any changes to the information on the applicant's application form.

(8) As a condition of applying, the eligible applicant shall consent to any other person, agency, organization, association, institution or body releasing information to the minister respecting the applicant's CFIA approved facility or licensed packing plant.

(9) As a condition of applying, the eligible applicant shall consent to the minister sharing any information provided by the eligible applicant and any information about the eligible applicant's application with any other government department, agency or third party including but not limited to the Canadian Food Inspection Agency.

(10) As a condition of applying, the eligible applicant shall consent to the minister making public any information about the eligible applicant's assistance payment including but not limited to the name of the eligible applicant and the amount of the assistance payment.

(11) On receipt of an application by an eligible applicant pursuant to this section, the minister may approve the eligible project if:

- (a) the minister is satisfied that the eligible applicant has complied with these regulations; and
- (b) there are sufficient unallocated funds remaining in the account.

5 Apr 2007 cF-8.001 Reg 32 s8; 20 Jne 2008 SR
39/2008 s7.

Claim for assistance payments

9(1) To make a claim for an assistance payment, an eligible applicant must submit to the minister on or before March 31, 2010:

- (a) a claim in a form provided by the minister for all eligible expenditures that have been paid for the approved eligible project, other than any eligible expenditures for which the applicant received an interim assistance payment; and
- (b) all original receipts, invoices, bills or other documents, in a form satisfactory to the minister, with respect to the eligible expenditures that state:
 - (i) the date payment was made;
 - (ii) the amount of taxes paid;
 - (iii) a detailed description of the expenditure; and
 - (iv) information that identifies the applicant and the approved eligible project;

- (c) proof satisfactory to the minister that the eligible applicant's CFIA approved facility or licensed packing plant, when the approved eligible project is complete, meets or will meet the requirements of the enhanced feed ban regulations; and
 - (d) a declaration satisfactory to the minister of any rebates, grants or other financial assistance, including in-kind contributions, received from the Government of Canada, the Government of Saskatchewan or any municipal government respecting those eligible expenditures or the approved eligible project.
- (2) An eligible applicant may request an interim assistance payment respecting eligible expenditures to date by submitting to the minister:
- (a) a claim in a form provided by the minister;
 - (b) the documents mentioned in clause (1)(b); and
 - (c) a source and use of funds statement.
- (3) The minister may make one or more interim assistance payments to the eligible applicant, provided that the interim assistance payments, when combined, do not exceed 25% of the estimated costs of the approved eligible project that were provided to the minister pursuant to subsection 8(2.1) if the minister is satisfied that:
- (a) the eligible applicant has complied with subsection (2); and
 - (b) the amount of the interim assistance payment to which the eligible applicant is entitled in accordance with these regulations is at least \$1,000.
- (4) The minister shall return all original documents submitted pursuant to clauses (1)(b) and (2)(b) to the eligible applicant.
- (5) The minister may require an eligible applicant to supply the minister with any additional information that the minister may reasonably require to evaluate the claim or ensure compliance with these regulations, including original receipts for costs claimed.
- (6) No eligible applicant shall supply any false or misleading information to the minister on any claim form or in response to any request for information from the minister.
- (7) An eligible applicant shall provide the minister with any changes to the information on any claim form.
- (8) An eligible applicant shall allow the minister or any person designated by the minister to inspect:
- (a) the approved eligible project that is the subject of the application; and
 - (b) any records, whether or not at the same location as the approved eligible project mentioned in clause (a), that the minister considers necessary or relevant to evaluate the claim or ensure compliance with these regulations.

The Gopher Control Rebate Regulations

being

Chapter F-8.001 Reg 36 (effective October 16, 2008) as
amended by Saskatchewan Regulations 45/2009.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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Appendix

CHAPTER F-8.001 REG 36
The Farm Financial Stability Act

Title

- 1** These regulations may be cited as *The Gopher Control Rebate Regulations*.

Interpretation

- 2** In these regulations:

- (a) **“applicant”** means a person, or a rural municipality, that applies for a rebate;
- (b) **“bait”** means rodenticides that:
 - (i) are:
 - (A) listed in Table 1 of the Appendix; or
 - (B) approved by the minister; and
 - (ii) are:
 - (A) purchased by a person or a rural municipality for the purpose of eradicating gophers; or
 - (B) sold by a rural municipality for the purpose of eradicating gophers;
- (c) **“gopher”** means any member of the following genus species:
 - (i) *Spermophilus richardsonii* (Richardson's ground squirrel);
 - (ii) *S. columbianus* (Columbian ground squirrel);
 - (iii) *S. franklinii* (Franklin ground squirrel);
 - (iv) *S. tridecemlineatus* (Thirteen-lined ground squirrel);
- (d) **“Indian band”** means a band as defined in the *Indian Act* (Canada) and includes the council of a band;
- (e) **“person”** means an individual, a partnership, a communal organization, an Indian band, a corporation or a co-operative;
- (f) **“rebate”** means a gopher control rebate payable pursuant to these regulations.

Application for rebate

3 A person or rural municipality that meets the eligibility criteria in section 5 may apply to the minister for a rebate on a form supplied by the minister.

31 Oct 2008 cF-8.001 Reg 36 s3.

Amount of rebate

4(1) Subject to subsections (3) and (4), if the minister is satisfied that an applicant meets all the requirements of these regulations, the minister may pay that applicant a rebate in an amount equal to 50% of the purchase price paid by the applicant for the bait, excluding taxes.

(2) Subject to subsections (3) and (4), if the minister is satisfied that an applicant that is a rural municipality meets all the requirements of these regulations, the minister may pay that rural municipality a rebate in an amount equal to R calculated in accordance with the following formula:

$$R = \frac{PP - SP}{2}$$

where:

PP is the purchase price paid by the rural municipality for the bait, excluding taxes; and

SP is the sale price of the bait, excluding taxes, to an applicant, other than a rural municipality.

(3) If applications are made pursuant to subsection (1) and (2) with respect to the same bait, the total rebate that may be paid to either applicant is an amount equal to 50% of the purchase price paid by the rural municipality for the bait, excluding taxes.

(4) No applicant is eligible for a rebate if the amount of the rebate that would otherwise be payable is less than \$50.

31 Oct 2008 cF-8.001 Reg 36 s4.

Eligibility

5 To be eligible to apply for a rebate, an applicant:

(a) must:

(i) own or lease Saskatchewan farm land;

(ii) in the case of an individual, be a Saskatchewan resident who is at least 18 years of age;

(iii) in the case of a partnership, communal organization, corporation or co-operative, have its head office in Saskatchewan or carry on business principally in Saskatchewan;

(iv) in the case of an Indian band, be an Indian band whose reserve land is in Saskatchewan; and

- (v) in the case of an individual, partnership, communal organization, corporation or co-operative, the individual, partnership, communal organization, corporation or co-operative filed or will file an income tax return respecting farm income in Saskatchewan for the year preceding the year for which an application is made, or for the year for which an application is made, that shows or will show to the satisfaction of the minister that a substantial portion of the individual's, partnership's, communal organization's, corporation's or co-operative's income was derived from farm income in Saskatchewan; or
- (b) must be a rural municipality.

8 May 2009 SR 45/2009 s3.

Application

6(1) An eligible applicant who wishes to receive a gopher control rebate shall apply to the minister on a form supplied by the minister.

(2) The eligible applicant must:

- (a) in the application form mentioned in subsection (1):
 - (i) specify the number of acres of Saskatchewan farm land owned or leased by the applicant, other than a rural municipality, on which the gopher bait was used;
 - (ii) describe the type and quantity of the bait that was used or sold; and
 - (iii) complete the declaration stating that no other application has been or will be made by the applicant with respect to the same bait; and
- (b) attach to the application a copy of all receipts or invoices that state:
 - (i) the date the bait was purchased or sold;
 - (ii) the type and quantity of bait that was purchased or sold;
 - (iii) the purchase price that was paid by the applicant for the bait, and in the case of a rural municipality the price at which the rural municipality sold the bait;
 - (iv) the amount of taxes paid; and
 - (v) the name of the vendor and purchaser of the bait.

(3) At the time the application is made, or at any subsequent time, the minister may require an applicant to supply the minister with any additional information that the minister may reasonably require to evaluate the application to determine that the eligibility requirements have been met.

(4) If the minister requires additional information pursuant to subsection (3), the applicant shall supply that information within the time specified by the minister.

(5) No person shall supply any false or misleading information to the minister on any application for a rebate or in response to any request for information from the minister.

Application on behalf of deceased

7 If an individual who is otherwise eligible for a rebate dies, an application for the rebate may be made by:

- (a) the executor of the deceased's estate;
- (b) the administrator of the estate; or
- (c) a person entitled by law to apply for letters probate or letters of administration respecting the estate.

31 Oct 2008 cF-8.001 Reg 36 s7.

Application deadline

8(1) An application for a rebate pursuant to these regulations must be postmarked by January 29, 2010.

(2) The minister may consider an application postmarked after January 29, 2010 if the minister is satisfied that extenuating circumstances exist making it unreasonable or impossible for the application to have been postmarked on or before that date.

31 Oct 2008 cF-8.001 Reg 36 s8; 8 May 2009 SR 45/2009 s5.

Duration of rebate program

9 Rebates may be paid for:

- (a) gopher bait purchased and used by an applicant between August 1, 2007 and October 1, 2009; and
- (b) gopher bait purchased and sold by a rural municipality to a person between August 1, 2007 and October 1, 2009.

31 Oct 2008 cF-8.001 Reg 36 s9; 8 May 2009 SR 45/2009 s6.

Overpayment

10(1) If a person provides false or misleading information to the minister or is otherwise ineligible for a rebate, the minister may declare that any payment received by that person pursuant to these regulations is an overpayment.

(2) Any overpayment, including a payment declared an overpayment pursuant to subsection (1), made pursuant to these regulations is a debt due to the Crown in right of Saskatchewan and may be recovered in the manner authorized by *The Financial Administration Act, 1993* or in any other manner authorized by law.

31 Oct 2008 cF-8.001 Reg 36 s10.

Coming into force

11 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

31 Oct 2008 cF-8.001 Reg 36 s11.

Appendix

TABLE 1
[clause 2(b)(i)(A)]

NU-GRO IP INC.	(PCP# 28784)
Maxim Chemical International LTD	(PCP# 28751)
K-9 Pocket Gopher Bait	(PCP#21557)
Wilson Strychnine Gopher-Kill Bait	(PCP# 22913)
Fairview Gopher Cop R.T.U	(PCP# 24619)
S.A.R.M. Gopher Poison R.T.U.	(PCP# 23236)
Elston Gopher Getter Bait I	(PCP# 24989)
Elston Gopher Getter Bait II	(PCP# 24988)
Wilco Gopher Ground Squirrel Bait	(PCP# 25472)
Fairview Gopher Cop R.T.U.W.	(PCP#27758)
Wilson Richardson's Ground Squirrel Strychnine Bait	(PCP# 27651)
Clean Crop Burrow Oat Bait	(PCP# 24795)
Zp Rodent Bait	(PCP# 14240)
Rodent Bait	(PCP# 16122)
Rodent Pellets	(PCP# 21838)
ZIP RTU Bait	(PCP# 27358)
Rozol Mineral Oil Concentrate	(PCP# 11342)
Wilson Rozol Paraffinized Pellets	(PCP# 13729)
Ground Force Paraffinized Pellets	(PCP# 20239)
Ground Force™ Field Rodent Bait	(PCP# 28142)
Poulin's Gopher Doom	(PCP# 22608)
Wilson Liquid Rozol Rodenticide	(PCP# 21160)
Ratol Paraffinized Pellets	(PCP# 26459)
Degesch Phostoxin Round Tablets Rodenticide	(PCP# 16351)
Exit™ RoCon	(PCP# 27400)

*The
Saskatchewan Cattle
and Hog Support
Program
Regulations*

being

Chapter F-8.001 Reg 37 (effective February 26, 2009).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER F-8.001 REG 37
The Farm Financial Stability Act

Title

1 These regulations may be cited as *The Saskatchewan Cattle and Hog Support Program Regulations*.

Interpretation

2 In these regulations:

- (a) **“applicant”** means a livestock producer who applies for a support payment;
- (b) **“application”** means an application for a support payment made pursuant to section 4;
- (c) **“breeder association”** means a cattle breeder association within the meaning of *The Cattle Breeder Associations Loan Guarantee Regulations, 1991*;
- (d) **“eligible livestock”** means:
 - (i) beef cows for the purpose of breeding and bred beef heifers that, as of January 1, 2009, were:
 - (A) located in Canada; and
 - (B) owned by the applicant;
 - (ii) mature hogs sold during the relevant period; and
 - (iii) weanling hogs fed outside of Canada or sold during the relevant period;
- (e) **“Indian band”** means a band as defined in the *Indian Act* (Canada) and includes the council of a band;
- (f) **“livestock producer”** means:
 - (i) an individual who:
 - (A) is 18 years of age or older;
 - (B) resides in Saskatchewan and can provide evidence satisfactory to the minister of the individual’s Saskatchewan residence; and
 - (C) is the owner of the eligible livestock that are the subject of an application;
 - (ii) a corporation and its subsidiaries, a co-operative, a partnership or a communal organization that:
 - (A) has its head office in Saskatchewan and, in the minister’s opinion, carries on business principally in Saskatchewan; and
 - (B) is the owner of the eligible livestock that are the subject of an application; or

- (iii) an Indian band:
 - (A) whose reserve land is in Saskatchewan; and
 - (B) that is the owner of the eligible livestock that are the subject of an application;
- (g) **"mature hog"** means any hog, other than a boar or sow, that is:
 - (i) farrowed in Saskatchewan;
 - (ii) raised in Canada; and
 - (iii) sold to a processing plant;
- (h) **"owner"**, with respect to eligible livestock, means:
 - (i) a person who is able to provide evidence, satisfactory to the minister, that the person is the owner of eligible livestock; or
 - (ii) a person who is a member of a breeder association, who has a breeder contract with the breeder association with respect to eligible livestock;
- (i) **"program"** means the Saskatchewan cattle and hog support program established pursuant to section 3;
- (j) **"relevant period"** means the period commencing on July 1, 2008 and ending on January 31, 2009;
- (k) **"reserve land"** means reserve land within the meaning of the *Indian Act* (Canada);
- (l) **"support payment"** means a support payment calculated pursuant to section 7;
- (m) **"weanling hog"** means any iso-weanling, weanling or feeder hog that:
 - (i) is farrowed in Saskatchewan; and
 - (ii) is fed outside of Canada or sold for further feeding during the relevant period.

6 Mar 2009 cF-8.001 Reg 37 s2.

Saskatchewan cattle and hog support program established

- 3(1) The Saskatchewan cattle and hog support program is established.
- (2) The purpose of the program is to provide financial assistance to livestock producers to relieve financial hardship caused by low prices, high input costs and restricted market access.

6 Mar 2009 cF-8.001 Reg 37 s3.

Application for payment

4(1) An applicant who wishes to obtain a support payment must apply to the minister on an application form supplied by the minister.

(2) On an application, the applicant must:

(a) specify the number of eligible livestock with respect to which the application is made;

(b) in the case of an application for a support payment respecting eligible livestock mentioned in subclause 2(d)(i):

(i) confirm that the applicant was the owner of the eligible livestock as of January 1, 2009; and

(ii) specify the number and location of the applicant's eligible livestock as of January 1, 2009;

(c) in the case of an application for a support payment respecting eligible livestock mentioned in subclause 2(d)(ii) or (iii):

(i) confirm that the applicant was the owner of the eligible livestock during the relevant period;

(ii) specify the number of eligible livestock sold during the relevant period, if any;

(iii) specify the number of weanling hogs fed outside of Canada during the relevant period, if any; and

(iv) if applicable, provide the name of the person who purchased the eligible livestock during the relevant period;

(d) provide any details that the minister may require to determine that the livestock with respect to which the application is made are eligible livestock;

(e) declare that no other application for a support payment has been made or is to be made by the applicant respecting the same eligible livestock; and

(f) provide the minister with any additional information that the minister may reasonably require to determine the applicant's eligibility for a support payment or the amount of the applicant's support payment.

(3) If the applicant is a corporation or a subsidiary of that corporation, a co-operative, a partnership, a communal organization or an Indian band, the minister may, for the purposes of verifying residency and compliance with these regulations, require an applicant to provide the names of the shareholders, partners, members or other individuals, as the case may be, who are associated with the applicant.

6 Mar 2009 cF-8.001 Reg 37 s4.

Application deadline

5(1) Subject to subsection (2), an application for a support payment pursuant to these regulations must be received by the minister or, in the case of an application that is mailed, be postmarked, on or before June 15, 2009.

(2) The minister may consider an application postmarked after June 15, 2009 if the minister is satisfied that extenuating circumstances exist making it unreasonable or impossible for the application to have been postmarked on or before that date.

6 Mar 2009 cF-8.001 Reg 37 s5.

Approval of application

6 If the minister is satisfied that an applicant meets the requirements set out in these regulations and has complied with the regulations, the minister may approve payment of a support payment to that applicant.

6 Mar 2009 cF-8.001 Reg 37 s6.

Calculation of support payment

7(1) For the purposes of this section, “**related to**” means, with respect to a person, to be:

- (a) an affiliate, a subsidiary or an associate of that person within the meaning of *The Business Corporations Act*;
- (b) another person who controls that person within the meaning of *The Business Corporations Act*; or
- (c) a partner of that person.

(2) Subject to subsections (3) and (4), the support payment that may be paid to an eligible applicant is the amount P calculated in accordance with the following formula:

$$P = (BC \times \$40) + (BH \times \$40) + (MH \times \$20) + (WH \times \$10)$$

where:

BC is the number of beef cows for the purpose of breeding that, as of January 1, 2009, were:

- (a) located in Canada; and
- (b) owned by the applicant;

BH is the number of bred beef heifers that, as of January 1, 2009, were:

- (a) located in Canada; and
- (b) owned by the applicant;

MH is the number of mature hogs sold by the applicant during the relevant period; and

WH is the number of weanling hogs fed outside of Canada or sold for further feeding by the applicant during the relevant period.

(3) The maximum amount that may be paid pursuant to this section to an applicant, including all persons who are related to the applicant, is \$2,000,000.

(4) No support payment is to be paid to an applicant if the amount of the support payment is less than \$50.

6 Mar 2009 cF-8.001 Reg 37 s7.

Duplicate applications

8(1) Not more than one support payment is to be made with respect to any eligible livestock.

(2) If the minister receives more than one application for any eligible livestock, the minister shall determine which application, if any, to accept.

6 Mar 2009 cF-8.001 Reg 37 s8.

Conditions of program

9(1) As a condition of participating in the program and receiving a support payment, an applicant shall:

(a) grant access, at any reasonable time, to land on which the applicant conducts the applicant's farming operations to any persons designated by the minister to verify information required to substantiate the applicant's eligibility or the amount of a support payment that may be paid to the applicant or to verify the applicant's compliance with these regulations;

(b) consent to any other person, agency, organization, association, institution or body releasing information to the minister respecting the applicant's farming operations; and

(c) provide to the minister, on the minister's request and within the period set by the minister, the applicant's income tax records for one or more years, or any other information that the minister may require, to verify the applicant's eligibility or the amount of a support payment that may be paid to the applicant or to verify the applicant's compliance with these regulations.

(2) No applicant shall fail to comply with any condition set out in subsection (1).

(3) No person shall supply any false or misleading information to the minister on any application or in response to any request for information from the minister.

6 Mar 2009 cF-8.001 Reg 37 s9.

Overpayments

10(1) The minister may declare all or any portion of a support payment made to an eligible applicant pursuant to these regulations to be an overpayment if the minister is satisfied that:

(a) the applicant has knowingly made a false or misleading statement with respect to a material fact on any form or in any information or document provided to the minister pursuant to these regulations;

(b) the applicant has knowingly omitted to make a statement or to provide any information or document if the omission results in a statement with respect to a material fact being misleading; or

(c) the applicant has failed to comply with these regulations.

(2) If the minister declares all or any portion of a support payment to be an overpayment, the amount of the overpayment is deemed to be a debt due and owing to the Government of Saskatchewan and may be recovered from the applicant in any manner authorized pursuant to *The Financial Administration Act, 1993* or in any other manner authorized by law.

6 Mar 2009 cF-8.001 Reg 37 s10.

Termination if moneys fully utilized

11(1) Notwithstanding any other provision of these regulations, if the minister determines that moneys allocated for the Saskatchewan cattle and hog support program have been fully allocated, the minister may refuse to approve any application and the applicant is not eligible to receive any support payment with respect to that application.

(2) If the minister makes a determination pursuant to subsection (1), the minister may cause the effective date of the determination:

(a) to be posted on the Internet website of the ministry over which the minister presides; and

(b) to be made public in any other manner that the minister considers appropriate.

(3) The effective date of the determination may be an earlier date than the date on which the minister makes public the effective date of the determination.

(4) The program is terminated on the effective date of the determination as made public by the minister.

6 Mar 2009 cF-8.001 Reg 37 s11.

Coming into force

12 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

6 Mar 2009 cF-8.001 Reg 37 s12.

*The
2009 Farm and Ranch
Water Infrastructure
Program
Regulations*

being

Chapter F-8.001 Reg 38 (effective April 30, 2009).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER F-8.001 REG 38
The Farm Financial Stability Act

Title

- 1** These regulations may be cited as *The 2009 Farm and Ranch Water Infrastructure Program Regulations*.

Interpretation

- 2** In these regulations:

- (a) **“account”** means the 2009 Farm and Ranch Water Infrastructure Program Account established pursuant to section 4;
- (b) **“Act”** means *The Farm Financial Stability Act*;
- (c) **“agricultural producer”** means any person engaged in the production of an agricultural commodity in Saskatchewan;
- (d) **“approved project”** means an eligible project that has been approved by the minister pursuant to section 10;
- (e) **“Canada-Saskatchewan Water Supply Expansion Program”** means the Canada-Saskatchewan Water Supply Expansion Program implemented by agreement between the Government of Canada and the Government of Saskatchewan, effective April 1, 2003 to March 31, 2009, as amended from time to time;
- (f) **“community well”** means a well for public use, including use by agricultural producers;
- (g) **“community well project”** means a project undertaken by an eligible applicant to develop a community well as a secure water supply;
- (h) **“eligible applicant”** means:
 - (i) in the case of an on-farm project, an eligible applicant as described in section 6;
 - (ii) in the case of a community well project:
 - (A) a rural municipality on behalf of agricultural producers whom it represents; and
 - (B) an Indian band on behalf of agricultural producers whom it represents;
- (i) **“eligible expenditures”** means the expenditures set out in section 11;
- (j) **“eligible project”** means an on-farm project or a community well project that complies with the requirements of section 7;
- (k) **“Indian band”** means a band as defined in the *Indian Act* (Canada) and includes the council of a band;

- (l) **“on-farm project”** means a project undertaken by an eligible applicant to develop a secure water supply on the land set out in the application provided to the minister by the eligible applicant;
- (m) **“other governmental assistance”** means any rebates, grants or other financial assistance, including in-kind contributions, received from the Government of Canada, the Government of Saskatchewan or any municipal government respecting eligible expenditures or an approved project;
- (n) **“pre-2009 project”** means a community well project or an on-farm project that:
- (i) was commenced on or after March 19, 2008 and before March 18, 2009; and
 - (ii) was the subject of an application made pursuant to the Canada-Saskatchewan Water Supply Expansion Program in 2008;
- (o) **“program”** means the 2009 Farm and Ranch Water Infrastructure Program established pursuant to section 3;
- (p) **“program payment”** means a payment made to an eligible applicant pursuant to the program;
- (q) **“program year”** means the period commencing on April 1 in one year and ending on March 31 of the following year;
- (r) **“secure water supply”** means a long-term source of water and includes wells, pipelines and dugouts;
- (s) **“storage tank”** means a tank with a capacity of at least 4 500 litres that is used as a secure water supply.

8 May 2009 cF-8.001 Reg 38 s2.

Program established

- 3(1) The 2009 Farm and Ranch Water Infrastructure Program is established.
- (2) The purpose of the program is to provide program payments to eligible applicants who dedicate those program payments to the development of a secure water supply.

8 May 2009 cF-8.001 Reg 38 s3.

Account established

- 4(1) The 2009 Farm and Ranch Water Infrastructure Program Account is established in the fund pursuant to clause 24(2)(a) of the Act.
- (2) The Minister of Finance is authorized to deposit into the account:
- (a) all contributions from the Government of Canada that are directed to the account for the purposes of the program pursuant to an agreement made pursuant to subsection 22(2) of the Act; and
 - (b) from moneys appropriated by the Legislature, all contributions of the Government of Saskatchewan to the program pursuant to an agreement made pursuant to subsection 22(2) of the Act.

- (3) The account consists of:
- (a) all contributions mentioned in clause (2)(a);
 - (b) all moneys appropriated by the Legislature:
 - (i) for the purposes of the program; or
 - (ii) for any other farm income stabilization purpose, if the Minister of Finance designates that those moneys are to be paid into the account;
 - (c) all earnings on investments of the account; and
 - (d) all other moneys received in the account for the purposes of the program.
- (4) All program payments are to be paid from the account.
- (5) Any surplus remaining in the account when the program is completed is to be returned to the Government of Canada and the Government of Saskatchewan in proportion to each government's contribution to the account.
- (6) The fiscal year of the account is the program year.

8 May 2009 cF-8.001 Reg 38 s4.

Minister to administer account and program

- 5(1) The minister shall administer the account and the program.
- (2) For the purpose of administering the account and the program, the minister may:
- (a) exercise the powers given to the minister pursuant to the Act; and
 - (b) do any other thing that the minister considers necessary to administer the account or the program.
- (3) Without limiting the generality of subsection (2), for the purpose of administering the account or the program, the minister may:
- (a) enter into any agreement that the minister considers advisable with any person, agency, organization, association, institution or body;
 - (b) undertake research, conduct studies and provide information to agricultural producers, eligible applicants or persons who, in the minister's opinion, may become eligible applicants in relation to eligible projects or the program;
 - (c) use any moneys received in the account:
 - (i) to pay for the administration of the account and the program; and
 - (ii) to make program payments;
 - (d) invest any all or any part of the moneys in the account that are not presently required for the purposes of the program in any securities or class of securities authorized pursuant to *The Financial Administration Act, 1993* for the investment of moneys in the general revenue fund; and
 - (e) dispose of any investment made pursuant to clause (d), subject to the terms of the investment, in any manner, on any terms and in any amount that the minister considers expedient.

8 May 2009 cF-8.001 Reg 38 s5.

Eligible applicants re on-farm projects

6 A person, partnership or Indian band is eligible to apply to have an on-farm project approved by the minister as an eligible project if:

- (a) in the case of an individual, the individual is a Saskatchewan resident who is at least 18 years of age;
- (b) in the case of a corporation or partnership, the corporation or partnership has its head office in Saskatchewan or carries on business in Saskatchewan;
- (c) in the case of an Indian band, the Indian band has reserve land in Saskatchewan and the land on which the proposed on-farm project is to be undertaken is in Saskatchewan and is controlled by the Indian band;
- (d) the person, partnership, or Indian band:
 - (i) owns or occupies at least 75 acres of agricultural land in Saskatchewan; or
 - (ii) if it owns or occupies less than 75 acres of agricultural land in Saskatchewan, satisfies the minister that it operates an intensive agricultural operation on the agricultural land; and
- (e) in the case of an individual, partnership or corporation, the individual, partnership or corporation filed or will file an income tax return respecting farm income in Saskatchewan for the year preceding the year for which an application is made, or for the year for which an application is made, that shows or will show to the satisfaction of the minister that a substantial portion of the individual's, partnership's or corporation's income was derived from farm income in Saskatchewan.

8 May 2009 cF-8.001 Reg 38 s6.

Eligible projects

7 For the purposes of these regulations, an eligible project is a project in Saskatchewan that:

- (a) is undertaken by an eligible applicant;
- (b) must be substantially for agricultural purposes;
- (c) must involve the development of a secure water supply for the eligible applicant including:
 - (i) in the case of an on-farm project, dugouts, small-diameter and large-diameter wells, shallow buried pasture pipelines and deep buried pipelines; and
 - (ii) in the case of a community well project, community wells and pipelines associated with establishing a loading site;
- (d) in the case of an application for:
 - (i) a pre-2009 project, is commenced on or after March 19, 2008 and before March 18, 2009 and with respect to which the eligible applicant undertakes in the application to complete the project before November 1, 2009;

(ii) an eligible project that is not a pre-2009 project, is commenced on or after March 18, 2009 and with respect to which the eligible applicant undertakes in the application to complete the project on or before the earlier of:

(A) the date that is 18 months after the date that the eligible applicant receives the minister's approval for the project; and

(B) March 15, 2013;

(e) must comply with the other requirements of these regulations; and

(f) is determined by the minister to be an eligible project.

8 May 2009 cF-8.001 Reg 38 s7.

Application

8(1) An eligible applicant who wishes to receive a program payment for an on-farm project or a community well project must apply to the minister by providing to the minister a completed application on a form supplied by the minister.

(2) In the application form mentioned in subsection (1), the eligible applicant must:

(a) describe the proposed eligible project;

(b) identify the location of the proposed eligible project by including the legal land description and the rural municipality or Indian reserve in which the land is situated;

(c) in the case of an application respecting an on-farm project, describe:

(i) the farming operation, including the number of acres farmed and the number of livestock, if any; and

(ii) the uses for water;

(d) describe the water-related problems the eligible project is attempting to address; and

(e) describe the benefits of the proposed project.

(3) If the application relates to a pre-2009 project, the applicant must provide the following information in addition to the information mentioned in subsection (2):

(a) evidence satisfactory to the minister that the applicant's application to the Canada-Saskatchewan Water Supply Expansion Program was made on or after January 1, 2008;

(b) documentation that sets out to the minister's satisfaction:

(i) whether or not the application mentioned in clause (a) was approved; and

(ii) if the application mentioned in clause (a) was approved, the amount of any payments received from the Canada-Saskatchewan Water Supply Expansion Program with respect to that application.

- (4) Every eligible applicant must:
- (a) in the case of an on-farm project, provide the minister on request with:
 - (i) a copy of the eligible applicant's most recent income tax return; or
 - (ii) information, satisfactory to the minister, showing that the eligible applicant will derive a substantial portion of income from farm income for the year for which the application is made;
 - (b) provide any additional information that the minister may require to determine that the applicant is an eligible applicant or that a project is an eligible project; and
 - (c) provide the minister with any additional information that the minister may reasonably require to determine the applicant's eligibility for a program payment.
- (5) No eligible applicant shall supply any false or misleading information to the minister on any application form or in response to any request for information from the minister.
- (6) An eligible applicant shall provide the minister with any changes to the information on the applicant's application form as soon as possible after that information changed.
- (7) Only one application may be submitted for each eligible project.

8 May 2009 cF-8.001 Reg 38 s8.

Time limit for submitting applications

- 9(1) Subject to subsections (2) and (3), an application must be received by the minister:
- (a) in the case of an application for a pre-2009 project, on or before June 30, 2009; or
 - (b) in the case of an application for an eligible project that is not a pre-2009 project, on or before August 1, 2012.
- (2) The minister may accept an application mentioned in clause (1)(a) that is received after June 30, 2009 if the minister is satisfied that:
- (a) the eligible applicant had a reasonable excuse for failing to apply within the time limit; and
 - (b) it is not contrary to the public interest to do so.
- (3) The minister may accept an application mentioned in clause (1)(b) that is received after August 1, 2012 if the minister is satisfied that:
- (a) the eligible applicant had a reasonable excuse for failing to apply within the time limit; and
 - (b) it is not contrary to the public interest to do so.

8 May 2009 cF-8.001 Reg 38 s9.

Approval of application

- 10 Subject to section 15, on receipt of an application made by an eligible applicant, the minister may approve the eligible project if the minister is satisfied that:
- (a) the applicant is an eligible applicant;
 - (b) the project is an eligible project;
 - (c) the eligible applicant has complied with these regulations; and
 - (d) there are sufficient moneys in the account to fund the application.

8 May 2009 cF-8.001 Reg 38 s10.

Eligible expenditures

11(1) Subject to subsection (3) and sections 13 and 15, the minister may approve as eligible expenditures any of the expenditures mentioned in subsection (2), if the minister is satisfied that those expenditures were incurred by an eligible applicant for an approved project.

(2) For the purposes of subsection (1), the following are the expenditures that may be approved:

(a) in the case of on-farm projects:

(i) the purchase cost of capital items, including pumps, pipes for shallow buried pasture pipelines and deep buried pipelines, and storage tanks, dedicated to the development of a secure water supply;

(ii) construction costs dedicated to the development of a secure water supply, including costs related to:

(A) excavating dugouts;

(B) drilling wells;

(C) purchasing and installing of screening;

(D) installing pipelines;

(E) installing fencing to exclude livestock;

(F) installing or developing storage tanks; and

(iii) costs related to connecting to an existing deep buried pipeline, including any hook-up or subscription costs, subject to the limits set out in subsections 13(3) and (4);

(b) in the case of community well projects:

(i) the purchase cost of capital items, including pumps, pipes necessary for constructing a water loading site, storage tanks and power loading equipment, dedicated to the development of a community well;

(ii) construction costs, including costs related to drilling wells, purchasing and installing screening, installing power and constructing buildings, dedicated to the development of a community well; and

(iii) costs related to site excavation and preparation dedicated to the development of a community well, including road construction costs or costs to improve access;

(c) costs of services provided for the purposes of the approved project, including costs associated with groundwater exploration, fees paid for consultations that the minister is satisfied are reasonable, and fees associated with the filing of applications and registrations, dedicated to the development of a secure water supply;

(d) any other costs that the minister is satisfied are specifically required for the execution of the approved project.

- (3) The following are not eligible to be approved as eligible expenditures:
- (a) in the case of an on-farm project, costs related to the installation of power;
 - (b) costs related to livestock watering bowls and troughs;
 - (c) taxes;
 - (d) costs related to the acquisition of real property;
 - (e) costs of capital items that the minister is satisfied are not specifically required for the execution of the approved project;
 - (f) any other expenditures that the minister determines are ineligible.

8 May 2009 cF-8.001 Reg 38 s11.

Claim for program payments

12(1) To make a claim for a program payment, the information mentioned in subsection (2) must be submitted to the minister:

- (a) with respect to an approved project that is a pre-2009 project, on or before November 30, 2009; and
 - (b) with respect to an approved project that is not a pre-2009 project, on or before the earlier of:
 - (i) the day that is 24 months after the minister's approval of the project; and
 - (ii) March 31, 2013.
- (2) For the purposes of subsection (1), the following information must be submitted to the minister:
- (a) a claim in a form provided by the minister for all eligible expenditures that have been paid for the approved project;
 - (b) a copy of all receipts, invoices, bills or other documents, in a form satisfactory to the minister, with respect to the eligible expenditures that state:
 - (i) the date the expenditure was incurred;
 - (ii) the date payment was made;
 - (iii) the amount of taxes paid;
 - (iv) a detailed description of the expenditure; and
 - (v) information that identifies the applicant and the approved project;
 - (c) proof satisfactory to the minister that the eligible applicant's approved project meets or will meet the requirements of Saskatchewan Watershed Authority and Saskatchewan Environment for water development;
 - (d) a declaration satisfactory to the minister setting out any other governmental assistance received by the eligible applicant with respect to the approved project.

- (3) The minister may require an eligible applicant to supply the minister with any additional information that the minister may reasonably require to evaluate the claim or ensure compliance with these regulations, including original receipts for costs claimed.
- (4) No eligible applicant shall supply any false or misleading information to the minister on any claim form or in response to any request for information from the minister.
- (5) An eligible applicant shall provide the minister with any changes to the information on any claim form as soon as possible after that information changes.
- (6) An eligible applicant shall allow the minister or any person designated by the minister to inspect:
- (a) the approved project that is the subject of the application; and
 - (b) any records, whether or not at the same location as the approved project mentioned in clause (a), that the minister considers necessary or relevant to evaluate the claim or ensure compliance with these regulations.

8 May 2009 cF-8.001 Reg 38 s12.

Program payments

13(1) For the purposes of this section, “**related to**” means, with respect to an eligible applicant, to be:

- (a) an affiliate, a subsidiary or an associate, within the meaning of *The Business Corporations Act*, of the eligible applicant;
 - (b) another person who, within the meaning of *The Business Corporations Act*, controls the eligible applicant; or
 - (c) a partner of the eligible applicant.
- (2) Subject to subsections (3) to (7), if the minister is satisfied that an eligible applicant has complied with these regulations and has provided the minister with any information that the minister may reasonably require, the minister may make a program payment to the eligible applicant respecting the approved project that is the subject of the application.
- (3) Subject to subsection (4), the amount of a program payment to an eligible applicant for an on-farm project that is an approved project is not to exceed 50% of the eligible expenditures for the approved project less any other governmental assistance.
- (4) The maximum amount of program payments that may be paid to an eligible applicant and to persons related to the eligible applicant is \$60,000 for all on-farm projects:
- (a) that are approved projects; and
 - (b) for which the eligible applicant or persons related to the eligible applicant have submitted applications pursuant to these regulations.
- (5) Subject to subsection (6), the amount of a program payment for a community well project that is an approved project is not to exceed two-thirds of the eligible expenditures for the approved project less any other governmental assistance.

(6) The maximum amount of program payments that may be paid to an eligible applicant and to persons related to the eligible applicant is \$150,000 for all community well projects:

- (a) that are approved projects; and
- (b) for which the eligible applicant or persons related to the eligible applicant have submitted applications pursuant to these regulations.

(7) If an eligible applicant fails to comply with these regulations, the minister may deny the claim for a program payment.

(8) If the minister denies a claim for a program payment, the minister shall notify the applicant in writing.

8 May 2009 cF-8.001 Reg 38 s13.

Overpayments

14(1) The minister may declare any program payment made to an eligible applicant to be an overpayment if the minister is satisfied that:

- (a) the applicant has knowingly made a false or misleading statement with respect to a material fact on any form or in any information or document provided to the minister pursuant to these regulations;
- (b) the applicant has knowingly omitted to make a statement or to provide any information or document if the omission results in a statement with respect to a material fact being misleading; or
- (c) the applicant has failed to comply with these regulations.

(2) If the minister declares a program payment to be an overpayment, the amount of the overpayment is deemed to be a debt due and owing to the Government of Saskatchewan and may be recovered from the eligible applicant in any manner authorized pursuant to *The Financial Administration Act, 1993* or in any other manner authorized by law.

8 May 2009 cF-8.001 Reg 38 s14.

Termination of approvals

15(1) Notwithstanding any other provision of these regulations, if the minister determines that moneys in the account have been fully allocated to approved projects:

- (a) the minister may refuse to approve any application of an eligible applicant that is received by the minister after the date of that determination; and
- (b) an eligible applicant mentioned in clause (a) is not eligible to receive any program payment in that program year with respect to that application.

(2) If the minister makes a determination pursuant to subsection (1), the minister may cause the effective date of the determination:

(a) to be posted on the Internet website of the ministry over which the minister presides; and

(b) to be made public in any other manner that the minister considers appropriate.

(3) The effective date of the determination may be an earlier date than the date on which the minister makes public the effective date of the determination.

8 May 2009 cF-8.001 Reg 38 s15.

Coming into force

16 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

8 May 2009 cF-8.001 Reg 38 s16.

*The
Wildlife Damage
Compensation
Program
Regulations*

being

Chapter F-8.001 Reg 33 (effective September 12, 2007) as
amended by Saskatchewan Regulations 19/2009.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER F-8.001 REG 33
The Farm Financial Stability Act

Title

- 1** These regulations may be cited as *The Wildlife Damage Compensation Program Regulations*.

Interpretation

- 2(1)** In these regulations:

- (a) **"account"** means the Wildlife Damage Compensation Account established in the fund pursuant to section 4;
 - (b) **"Act"** means *The Farm Financial Stability Act*;
 - (c) **"commercial agricultural products"** means annual seeded field crops, perennial field crops, market garden crops, trees on tree nurseries, sod on sod farms, leafcutter bees, leafcutter bee shelters, honey bees and honey bee hives;
 - (d) **"corporation"** means the corporation appointed pursuant to section 5 to administer the program and the account;
 - (e) **"crop year"** means the period commencing on August 1 in one year and ending on July 31 in the following year;
 - (f) **Repealed.** 13 Mar 2009 SR 19/2009 s3.
 - (g) **"honey bee hive"** includes associated equipment and brood;
 - (h) **"leafcutter bee shelter"** includes associated equipment and larvae;
 - (i) **"producer"** means a producer of commercial agricultural products;
 - (j) **"program"** means the Wildlife Damage Compensation Program established pursuant to section 3;
 - (k) **"wildlife"** means ducks, geese, sandhill cranes, white-tailed deer, mule deer, antelope, elk, moose, bison or bear, that have not been held in captivity.
- (2)** For the purposes of Part IV of the Act:
- (a) commercial agricultural products are prescribed as commodities; and
 - (b) producers of commercial agricultural products are prescribed as producers.

Program established

3 The Wildlife Damage Compensation Program is established pursuant to subsection 22(1) of the Act.

21 Sep 2007 cF-8.001 Reg 33 s3.

Account established

4(1) The Wildlife Damage Compensation Account is established in the fund for the purpose of administering the program pursuant to clause 24(2)(a) of the Act.

(2) The Minister of Finance is authorized to deposit into the account:

(a) all contributions from the Government of Canada that are directed to the account for the purposes of the program pursuant to an agreement made pursuant to subsection 22(2) of the Act; and

(b) from moneys appropriated by the Legislature, all contributions of the Government of Saskatchewan to the program pursuant to an agreement made pursuant to subsection 22(2) of the Act.

(3) The Minister of Finance is authorized to make loans out of the general revenue fund to the corporation, to be deposited into the account, for the purposes of the program.

(4) The account consists of:

(a) all contributions mentioned in subsection (2);

(b) all loans mentioned in subsection (3);

(c) all other contributions from the Government of Canada that are directed to the account for the purposes of the program;

(d) all other moneys appropriated by the Legislature for the purposes of the program;

(e) all moneys received from the minister responsible for the administration of *The Wildlife Act, 1997* for the purposes of the program;

(f) all earnings on investments of the account; and

(g) all moneys donated to the account for the purposes of the program.

(5) All compensation payable to producers in accordance with these regulations is to be paid from the account.

21 Sep 2007 cF-8.001 Reg 33 s4.

Corporation appointed

5(1) The Saskatchewan Crop Insurance Corporation is appointed, pursuant to clause 26(1)(b) of the Act, to:

- (a) administer the program; and
 - (b) administer the account for the purposes of the program.
- (2) For the purpose of administering the program and the account, the corporation has:
- (a) all the powers given to it pursuant to *The Crop Insurance Act*; and
 - (b) any other power necessary to administer the program and the account.
- (3) Without limiting the generality of subsection (2), for the purpose of administering the program and the account, the corporation may:
- (a) appoint or engage any professional and technical personnel that may be required and determine their salaries and other remuneration;
 - (b) employ any officers and other employees that the corporation considers necessary for its purposes;
 - (c) make bylaws respecting the conduct of its proceedings and generally for the conduct of its activities;
 - (d) police and audit program compliance;
 - (e) enter into any agreement with any person, agency, organization, association, institution or body that the corporation considers advisable;
 - (f) execute any bills of exchange, promissory notes and other negotiable or transferable instruments;
 - (g) use any moneys received in the account to make payments to producers pursuant to the program;
 - (h) invest any moneys in the account that are not presently required for the purposes of the program in any investments that are authorized pursuant to *The Financial Administration Act, 1993* as investments for the general revenue fund; and
 - (i) dispose of any investment made pursuant to clause (h), subject to the terms of the investment, in any manner, on any terms and in any amount that the corporation considers advisable.

Producer eligible for compensation

6 A producer is eligible for compensation in accordance with these regulations for losses to commercial agricultural products resulting from damage caused by wildlife.

21 Sep 2007 cF-8.001 Reg 33 s6.

Determination of loss

7 The corporation, after inspecting the damaged commercial agricultural product before it is harvested, shall determine the loss eligible for compensation by estimating:

- (a) in the case of annual seeded field crops, market garden crops, trees on tree nurseries, sod on sod farms, leafcutter bees and honey bees, the harvestable production lost as a result of the damage caused by wildlife;
- (b) in the case of perennial field crops:
 - (i) the cost of replacing the plants damaged by wildlife if the plants are completely destroyed; or
 - (ii) an amount based on the damage by wildlife to the plants if the plants are not completely destroyed;
- (c) in the case of leafcutter bee shelters damaged by wildlife, the cost of repairing or replacing those shelters;
- (d) in the case of honey bee hives damaged by wildlife, the cost of replacing those hives; or
- (e) in the case of annual seeded field crops contaminated by the excreta of wildlife, the cost of cleaning the crops to remove the excreta.

21 Sep 2007 cF-8.001 Reg 33 s7.

Determination of compensation

8(1) Subject to subsections (4) and (6), in the case of damage to annual seeded field crops, market garden crops, trees on tree nurseries, sod on sod farms, leafcutter bees and honey bees, the corporation shall pay to the producer 100% of the loss estimated pursuant to clause 7(a), calculated by the corporation based on:

- (a) the grade of that commercial agricultural product, as determined by the corporation, at the time the damage is adjusted; and
- (b) the market value of the grade of that commercial agricultural product, as determined by the corporation, for the crop year in which the loss occurred.

(2) Subject to subsections (4) and (6), in the case of damage to perennial field crops, the corporation shall pay to the producer 100% of the loss estimated pursuant to clause 7(b).

(3) Subject to subsection (6), in the case of damage to leafcutter bee shelters or honey bee hives, the corporation shall pay to the producer 100% of the loss estimated pursuant to clause 7(c) or 7(d), as the case may be.

(4) An amount payable by the corporation pursuant to subsection (1) or (2) may be reduced by an amount the corporation considers appropriate if, in the corporation's opinion, it is agronomically feasible to produce another crop of that commercial agricultural product in the same growing season on the area damaged by wildlife.

(5) Subject to subsection (6), in the case of harvested field crops contaminated by wildlife excreta, the corporation shall pay to the producer 100% of the cost, as determined by the corporation, of cleaning to remove the excreta pursuant to clause 7(e).

(6) No payment shall be made for a commercial agricultural product pursuant to this section if, in the opinion of the corporation, the amount of compensation is less than \$150 for that commercial agricultural product.

21 Sep 2007 cF-8.001 Reg 33 s8; 13 Mar 2009
SR 19/2009 s4.

Restrictions on payment

9 The corporation shall not make any payment pursuant to section 8 if, in the corporation's opinion:

- (a) any portion of the damaged commercial agricultural product is harvested before an inspection by the corporation;
- (b) the producer has not made every reasonable effort to harvest the commercial agricultural product to avoid winter damage by wildlife;
- (c) the producer has not made every reasonable effort to utilize prevention measures offered by the department within the meaning of *The Environmental Management and Protection Act, 2002*, and all other reasonable prevention measures, to control damage caused by wildlife to the commercial agricultural products;
- (d) a payment has been made in the same crop year under the unseeded acreage provisions of *The Crop Insurance Regulations* with respect to the same acres for which compensation for damage to the commercial agricultural products is requested;
- (e) the commercial agricultural products have been seeded too late to be reasonably expected to mature; or
- (f) in the case of damage to leafcutter bees, leafcutter bee shelters, honey bees or honey bee hives caused by bear ravaging, private insurance is available to cover those losses, whether the producer has purchased that insurance or not.

21 Sep 2007 cF-8.001 Reg 33 s9.

No payment if access by hunters has been unduly restricted

10(1) The corporation shall not make any payment pursuant to section 8 if access to the land by hunters licensed pursuant to *The Wildlife Act, 1997* or the regulations made pursuant to that Act has been unduly restricted by the producer.

(2) A restriction on access is not undue if the intent of the restriction is to:

- (a) protect persons, buildings or property;
- (b) protect livestock in a manner consistent with the producer's normal livestock operations;
- (c) control or restrict vehicular travel; or
- (d) manage or limit the number of hunters.

21 Sep 2007 cF-8.001 Reg 33 s10.

Producer eligible for compensation

11 A producer is eligible for compensation in accordance with these regulations for losses to the following commodities resulting from damage caused by wildlife:

- (a) stacked hay;
- (b) silage bales;
- (c) honey or associated equipment and brood.

21 Sep 2007 cF-8.001 Reg 33 s11.

Determination of loss

12 The corporation, after inspecting the stacked hay, silage bales, or honey or associated equipment and brood damaged by wildlife, shall determine the loss eligible for compensation by estimating the volume of the stacked hay, silage bales, or honey or associated equipment and brood damaged by wildlife.

21 Sep 2007 cF-8.001 Reg 33 s12.

Determination of compensation

13(1) In this section, "**storage yard site**" means a site where stacked hay, silage bales or honey or associated equipment and brood is stored by a producer.

(2) If there is more than one storage yard site on a quarter-section of land or a river lot, the combination of storage yard sites on that quarter-section or river lot is deemed to be one storage yard site.

(3) Subject to subsection (4), the corporation shall pay to the producer 100% of the loss estimated pursuant to section 12 at a price that reflects the value of the damaged commodity, as determined by the corporation, to a maximum of \$5,200 per storage yard site.

(4) No payment shall be made pursuant to this section if, in the opinion of the corporation, the amount of compensation is less than \$150 per storage yard site.

21 Sep 2007 cF-8.001 Reg 33 s13; 13 Mar 2009 SR 19/
2009 s5.

Restrictions on payment

14 The corporation shall not make any payment pursuant to section 13 if:

- (a) the producer has not made every reasonable effort to utilize prevention measures offered by the department within the meaning of *The Environmental Management and Protection Act, 2002*, and all other reasonable prevention measures, to control damage caused by wildlife to stacked hay, silage bales, or honey or associated equipment and brood; or
- (b) in the case of damage to honey or associated equipment and brood caused by bear ravaging, private insurance is available to cover those losses, whether the producer has purchased that insurance or not.

21 Sep 2007 cF-8.001 Reg 33 s14.

Application for compensation

15 A producer who is eligible for compensation pursuant to these regulations and who wishes to obtain compensation shall:

- (a) apply to the corporation on a form provided by the corporation and within a period determined by the corporation;
- (b) solemnly declare that the contents of the form mentioned in clause (a) are true; and
- (c) at the time the application is submitted or at any subsequent time, supply the corporation with any information the corporation may require in order to determine the producer's eligibility for compensation.

21 Sep 2007 cF-8.001 Reg 33 s15.

Reconsideration and revision by corporation

16(1) Within 30 days after a determination by the corporation pursuant to these regulations, an applicant may request, in writing, that the corporation reconsider the determination.

(2) If the corporation receives a request pursuant to subsection (1), the corporation shall reconsider the determination and may confirm, reverse or vary that determination.

(3) Nothing in these regulations entitles an applicant to a hearing before the corporation.

(4) Subject to subsection (5), the corporation may revise a determination of compensation made pursuant to these regulations:

- (a) after reinspecting the damaged commercial agricultural product to which the determination relates; or
- (b) after receiving information that the initial determination was incorrect.

(5) The corporation must complete any revision of a determination made pursuant to these regulations within six years after the last day of the crop year with respect to which the determination relates.

21 Sep 2007 cF-8.001 Reg 33 s16.

Fiscal year

17 The fiscal year of the program and the account is the fiscal year of the corporation.

21 Sep 2007 cF-8.001 Reg 33 s17.

Annual report

18 The corporation shall report on the activities of the program and the account in its annual report prepared pursuant to *The Crop Insurance Act*.

21 Sep 2007 cF-8.001 Reg 33 s18.

R.R.S. c.F-8.001 Reg 7 repealed

19 *The Big Game Damage Compensation Program Regulations* are repealed.

21 Sep 2007 cF-8.001 Reg 33 s19.

R.R.S. c.F-8.001 Reg 9 repealed

20 *The Waterfowl Damage Compensation Program Regulations* are repealed.

21 Sep 2007 cF-8.001 Reg 33 s20.

Transitional

21(1) In this section:

(a) **"Big Game Damage Compensation Account"** means the Big Game Damage Compensation Account that was established pursuant to *The Big Game Damage Compensation Program Regulations*, as those regulations existed on the day before the coming into force of these regulations;

(b) **"Waterfowl Damage Compensation Account"** means the Waterfowl Damage Compensation Account that was established pursuant to *The Waterfowl Damage Compensation Program Regulations*, as those regulations existed on the day before the coming into force of these regulations.

(2) On the coming into force of these regulations:

(a) all assets and liabilities, as at the day these regulations come into force, of the Big Game Damage Compensation Account and the Waterfowl Damage Compensation Account are transferred to and become the assets and liabilities of the account; and

(b) any action or proceeding by or against the Big Game Damage Compensation Account and the Waterfowl Damage Compensation Account may be continued, commenced or brought by or against the account.

21 Sep 2007 cF-8.001 Reg 33 s21.

Coming into force

22 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

21 Sep 2007 cF-8.001 Reg 33 s22.

*The
Energy-efficient
Household Appliances
and Residential
Heating Systems
(Provincial Sales
Tax) Remission and
Exemption
Regulations, 2005*

being

Chapter F-13.4 Reg 32 (effective June 29, 2005) as amended
by Saskatchewan Regulations 138/2005 and 26/2009.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER F-13.4 REG 32

The Financial Administration Act, 1993

Title

1 These regulations may be cited as *The Energy-efficient Household Appliances and Residential Heating Systems (Provincial Sales Tax) Remission and Exemption Regulations, 2005*.

23 Dec 2005 SR 138/2005 s3.

Interpretation

2 In these regulations:

- (a) **“consumer”** means a person who has purchased or leased:
 - (i) an eligible energy-efficient household appliance on or after October 1, 2003;
 - (ii) an eligible energy-efficient boiler or an eligible energy-efficient furnace on or after November 8, 2005; or
 - (iii) an eligible energy-efficient heat pump on or after July 1, 2006;
- (a.1) **“eligible energy-efficient boiler”** means a boiler that the minister is satisfied:
 - (i) is a boiler recognized as an “Energy Star Qualified” residential boiler by the Office of Energy Efficiency, Natural Resources Canada, at the time that the boiler was purchased or leased; and
 - (ii) was not previously leased or sold before its acquisition by the consumer;
- (a.2) **“eligible energy-efficient furnace”** means a furnace that the minister is satisfied:
 - (i) is a furnace recognized as an “Energy Star Qualified” residential furnace by the Office of Energy Efficiency, Natural Resources Canada, at the time the furnace was purchased or leased; and
 - (ii) was not previously leased or sold before its acquisition by the consumer;

(a.3) **“eligible energy-efficient heat pump”** means a heat pump that the minister is satisfied:

- (i) is an air source heat pump or a ground source heat pump that is recognized as an “Energy Star Qualified” air source heat pump or ground source heat pump by the Office of Energy Efficiency, Natural Resources Canada, at the time the heat pump was purchased or leased; and
- (ii) was not previously leased or sold before its acquisition by the consumer;

(b.2) **Repealed.** 3 Apr 2009 SR 26/2009 s3.

(b) **“eligible energy-efficient household appliance”** means a refrigerator, freezer, dishwasher or clothes washer that the minister is satisfied:

- (i) is a home appliance recognized as an “Energy Star Qualified” appliance by the Office of Energy Efficiency, Natural Resources Canada, at the time the appliance was purchased or leased; and
- (ii) was not previously leased or sold before its acquisition by the consumer;

(c) **“exemption”** means an exemption pursuant to these regulations of the tax payable on an eligible energy-efficient household appliance, an eligible energy-efficient boiler, an eligible energy-efficient furnace or an eligible energy-efficient heat pump;

(d) **“lease”** means a rental or lease for a continuous period of at least one year;

(e) **“minister”** means the member of the Executive Council to whom for the time being the administration of *The Provincial Sales Tax Act* is assigned;

(f) **“remission”** means a remission pursuant to these regulations of the tax payable on an eligible energy-efficient household appliance, an eligible energy-efficient boiler, an eligible energy-efficient furnace or an eligible energy-efficient heat pump;

(g) **“tax”** means tax imposed pursuant to *The Provincial Sales Tax Act*.

15 Jly 2005 cF-13.4 Reg 32 s2; 23 Dec 2005 SR
138/2005 s4; 3 Apr 2009 SR 26/2009 s3.

Remission and exemption

3(1) Every consumer is eligible to apply for a remission of the tax paid on every eligible energy-efficient household appliance that the consumer has purchased or leased from a Saskatchewan vendor on or after October 1, 2003 and before April 1, 2005.

(2) Every consumer is eligible for an exemption of the tax payable:

- (a) on every eligible energy-efficient household appliance that the consumer has purchased or leased on or after April 1, 2005;

- (b) on every eligible energy-efficient boiler and eligible energy-efficient furnace that the consumer has purchased or leased on or after November 8, 2005; and
 - (c) on every eligible energy-efficient heat pump that the consumer has purchased or leased on or after July 1, 2006.
- (3) Notwithstanding subsection (2), if a consumer purchases or leases an eligible energy-efficient household appliance on or after April 1, 2005 and pays the tax on that eligible energy-efficient household appliance, the consumer is eligible for a remission of the tax paid.
- (3.1) Notwithstanding subsection (2), a consumer who purchased an eligible energy-efficient boiler or an eligible energy-efficient furnace before November 8, 2005 is eligible for a remission of the tax paid if:
- (a) the consumer is a contractor who supplies and installs boilers or furnaces in the normal course of the contractor's business;
 - (b) the eligible energy-efficient boiler or the eligible energy-efficient furnace was purchased for use as part of the contractor's business; and
 - (c) the eligible energy-efficient boiler or the eligible energy-efficient furnace is installed by the contractor on or after November 8, 2005.
- (3.2) Notwithstanding subsection (2), a consumer who purchased an eligible energy-efficient heat pump before July 1, 2006 is eligible for a remission of the tax paid if:
- (a) the consumer is a contractor who supplies and installs heat pumps in the normal course of the contractor's business;
 - (b) the eligible energy-efficient heat pump was purchased for use as part of the contractor's business; and
 - (c) the eligible energy-efficient heat pump is installed by the contractor on or after July 1, 2006.
- (4) In order to be eligible for a remission, a consumer who purchased an eligible energy-efficient household appliance shall:
- (a) apply for the remission in a form satisfactory to the minister within four years after the date that the consumer purchased or leased the eligible energy-efficient household appliance; and
 - (b) forward with the consumer's application an invoice respecting the consumer's purchase or lease that is in a form satisfactory to the minister and that contains the information the minister considers necessary to determine the consumer's eligibility for a remission and the amount of the remission.

(5) At the time the application is made or at any subsequent time, the minister may require a consumer to supply the minister with any additional information that the minister may reasonably require to evaluate the application or to determine that the conditions under which a remission is granted have been complied with.

(6) If the minister requires additional information pursuant to subsection (5), the consumer shall supply that information within the time specified by the minister.

(7) No consumer shall supply any false or misleading information to the minister on any application form or in response to any request for information from the minister.

15 Jly 2005 cF-13.4 Reg 32 s3; 23 Dec 2005 SR
138/2005 s5; 3 Apr 2009 SR 26/2009 s4.

Approval of remission

4(1) If the minister has received an application from a consumer and is satisfied that the consumer has complied with these regulations, the minister may grant a remission to the consumer.

(2) The amount of remission that may be granted is:

(a) with respect to the purchase or lease of an eligible energy-efficient household appliance, the total amount of tax paid by the consumer on or after October 1, 2003;

(b) with respect to the purchase of an eligible energy-efficient boiler or an eligible energy-efficient furnace in circumstances that meet the requirements of subsection 3(3.1), the total amount of tax paid by the consumer before November 8, 2005; or

(c) with respect to the purchase of an eligible energy-efficient heat pump in circumstances that meet the requirements of subsection 3(3.2), the total amount of tax paid by the consumer before July 1, 2006.

15 Jly 2005 cF-13.4 Reg 32 s4; 23 Dec 2005 SR
138/2005 s6; 3 Apr 2009 SR 26/2009 s5.

R.R.S. c.F-13.4 Reg 30 repealed

5 *The Energy-Efficient Household Appliances (Provincial Sales Tax) Remission Regulations* are repealed.

15 Jly 2005 cF-13.4 Reg 32 s5.

Coming into force

6 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

15 Jly 2005 cF-13.4 Reg 32 s6.

*The
Municipal Fire Truck
(Provincial Sales
Tax) Exemption
Regulations*

being

Chapter F-13.4 Reg 18 (effective May 27, 1998) as amended
by Saskatchewan Regulations 27/2009.

NOTE:

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CHAPTER F-13.4 REG 18
The Financial Administration Act, 1993

Title

- 1** These regulations may be cited as *The Municipal Fire Truck (Provincial Sales Tax) Exemption Regulations*.

Interpretation

- 2** In these regulations:

- (a) **“eligible fire department”** means:

(i) a fire department that is established by or contracted with a city within the meaning of *The Cities Act*, a town, village, resort village or rural municipality within the meaning of *The Municipalities Act, 1989* or a northern municipality within the meaning of *The Northern Municipalities Act*; or

(ii) with respect to the purchase of an eligible fire truck on or after May 14, 2008, the Regina Airport Authority or the Saskatoon Airport Authority;

- (b) **“eligible fire truck”** means a vehicle that is designed for fighting fires, including any equipment that is to form part of that vehicle at the time that the vehicle is acquired by the eligible fire department, but does not include:

(i) any vehicle not designed for the purpose of fighting fires, including a fire chief's vehicle, an ambulance or other medical emergency response vehicle;

(ii) any repair or replacement parts or any other equipment added to a vehicle designed for fighting fires after the date on which the vehicle was acquired; or

(iii) any equipment that does not normally form part of a vehicle designed for fighting fires;

- (c) **“tax”** means the tax payable pursuant to *The Provincial Sales Tax Act*.

Exemption

3(1) Every eligible fire department is exempt from paying the full amount of tax on eligible fire trucks purchased or leased by the eligible fire department on or after March 20, 1998.

(2) Where, notwithstanding subsection (1), an eligible fire department pays the full amount of tax on an eligible fire truck on or after March 20, 1998, a remission of the tax that is equivalent to the exemption set out in subsection (1) is granted to the eligible fire department.

5 Jun 98 cF-13.4 Reg 18 s3.

Application

4 An eligible fire department that wishes to claim a remission of tax pursuant to subsection 3(2) shall apply to the minister or the minister's designate at the time and in the manner specified by the minister or the minister's designate.

5 Jun 98 cF-13.4 Reg 18 s4.

*The
Used Light Vehicles
(Provincial Sales Tax)
Exemption and
Remission
Regulations*

being

Chapter F-13.4 Reg 36 (effective November 23, 2007) as amended
by Saskatchewan Regulations 29/2009.

NOTE:

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CHAPTER F-13.4 REG 36
The Financial Administration Act, 1993

Title

- 1** These regulations may be cited as *The Used Light Vehicles (Provincial Sales Tax) Exemption and Remission Regulations*.

Interpretation

- 2** In these regulations:

- (a) **“consumer”** means a person who purchases or leases an eligible used light vehicle on or after November 8, 2007;
- (b) **“eligible used light vehicle”** means a light vehicle that is a tax-paid vehicle;
- (c) **“light vehicle”** means a vehicle that is:
 - (i) a car that is designed and used primarily for the movement of people and their belongings on a highway;
 - (ii) a sport utility vehicle;
 - (iii) a truck that the minister is satisfied is rated at one ton or less; or
 - (iv) a van that the minister is satisfied is rated at one ton or less;
- (d) **“minister”** means the member of the Executive Council to whom for the time being the administration of *The Provincial Sales Tax Act* is assigned;
- (e) **“tax”** means tax imposed pursuant to *The Provincial Sales Tax Act*;
- (f) **“tax-paid vehicle”** means a vehicle on which the tax has been paid on the full value or purchase price of the vehicle, including a vehicle on which the tax was paid pursuant to subsection 5(21.1) or (21.3) of *The Provincial Sales Tax Act*.

30 Nov 2007 cF-13.4 Reg 36 s2.

Exemption

- 3** Every consumer is exempt from paying the tax payable on every eligible used light vehicle that the consumer purchases or leases on or after November 8, 2007.

30 Nov 2007 cF-13.4 Reg 36 s3.

Trade-in exemption

- 3.1** A person is exempt from paying the tax that would otherwise be payable as a result of the application of clause 5(21.6)(a) of *The Provincial Sales Tax Act* with respect to an eligible used light vehicle that is accepted in trade, if the person trading in the eligible used light vehicle has owned the vehicle at the time the vehicle is accepted in trade:

- (a) in the period commencing on November 8, 2007 and ending on December 31, 2008, for at least six months; or
- (b) in the period commencing on January 1, 2009, for at least 90 days.

3 Apr 2009 SR 29/2009 s2.

Proof of ownership

3.2 For the purposes of section 3.1, the registration of an eligible used light vehicle under *The Traffic Safety Act* is deemed to be proof of ownership.

3 Apr 2009 SR 29/2009 s2.

Remission

4(1) Every consumer who purchases or leases an eligible used light vehicle on or after November 8, 2007 and who pays tax on that vehicle is eligible to apply for a remission of that tax pursuant to this section.

(2) A consumer who applies for a remission pursuant to this section shall:

(a) apply for the remission in a form satisfactory to the minister within four years after the date that the consumer purchased or leased the eligible used light vehicle; and

(b) forward with the consumer's application for a remission an invoice respecting the consumer's purchase or lease of the eligible used light vehicle that contains the information the minister considers necessary to determine the consumer's eligibility for a remission and the amount of the remission being applied for.

(3) At the time the application is made or at any subsequent time, the minister may require a consumer to supply the minister with any additional information that the minister may reasonably require to evaluate the application or to determine whether a remission is payable.

(4) If the minister requires additional information pursuant to subsection (3), the consumer shall supply that information within the time specified by the minister.

(5) No consumer shall supply any false or misleading information to the minister on any application form or in response to any request for information from the minister.

30 Nov 2007 cF-13.4 Reg 36 s4.

Approval of remission

5(1) If the minister has received an application from a consumer and is satisfied that the consumer has complied with these regulations, the minister may grant a remission to the consumer.

(2) The amount of remission that may be granted is the amount of tax that was paid by the consumer on the eligible used light vehicle.

30 Nov 2007 cF-13.4 Reg 36 s5.

Coming into force

6 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

30 Nov 2007 cF-13.4 Reg 36 s6.

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The Fisheries Regulations

being

Chapter F-16.1 Reg 1 (effective May 9, 1995) as amended by Saskatchewan Regulations 13/96, 102/96, 26/97, 56/98, 32/1999, 22/2000, 27/2001, 67/2002, 65/2004, 48/2006 and 46/2009.

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CHAPTER F-16.1 REG 1
The Fisheries Act (Saskatchewan), 1994

PART I
Preliminary

Title

- 1** These regulations may be cited as *The Fisheries Regulations*.

Interpretation

- 2** In these regulations:

- (a) **“Act”** means *The Fisheries Act (Saskatchewan), 1994*;
- (b) **“angling”** means:
 - (i) fishing by means of a line and hook or a rod, line and hook;
 - (ii) bow fishing; or
 - (iii) underwater spear fishing;
- (c) **“bait fish”** means those species of fish set out in Table 8;
- (d) **“bait fishing”** means commercial fishing for bait fish or the commercial fishing of crayfish, leeches, or aquatic invertebrates for use as bait;
- (e) **“commercial aquaculture”** means aquaculture for the purpose of marketing fish and includes fee-for-fishing operations;
- (f) **“commercial aquaculturist”** means the holder of a commercial aquaculture licence;
- (g) **“commercial fisherman’s helper”** means a person who is employed by, assists or acts for a commercial fisherman;
- (h) **“commercial fishing”** means fishing for the purpose of marketing all or any portion of the catch;
- (h.1) **“competitive fishing event”** means an angling competition, including a tournament or derby, where:
 - (i) there are 25 or more entrants; and
 - (ii) prizes are awarded on the basis of fish caught;
- (i) **“consumer”** means:
 - (i) an individual who obtains or purchases fish for personal consumption; or
 - (ii) a non-profit organization that obtains or purchases fish for the purpose of consumption by or distribution to its members or members of the public without charge;

- (j) **“Corporation”** means the Freshwater Fish Marketing Corporation incorporated pursuant to the *Freshwater Fish Marketing Act* (Canada) and includes its designated agent;
- (k) **“dip net fishing”** means fishing by means of a dip net;
- (l) **“dressed”** means the form of a fish after the entrails have been removed;
- (m) **“fish pedlar”** means a person who markets fish by direct sale or transient trade but does not include a commercial fisherman, fish processor or commercial aquaculturist;
- (n) **“fish processor”** means the holder of a fish processing licence issued pursuant to these regulations;
- (o) **“fresh fish”** means fish that has not been processed;
- (p) **“headless dressed”** means the form of a fish after the head, gills and entrails have been removed;
- (q) **“length”** means, for the purpose of measuring:
- (i) round and dressed fish, the distance from the tip of the snout with the jaws closed to the tip of the tail with the lobes compressed so as to give the maximum possible measurement;
 - (ii) headless dressed fish, the distance from the furthest anterior point on the body to the tip of the tail with the lobes compressed so as to give the maximum possible measurement;
 - (iii) a fish fillet, the total length of the fillet;
- (r) **“mesh size”** means the distance between diagonally opposite angles of a single mesh of a net, measured inside and between the knots, after the net has been immersed in water and extended without straining the twine;
- (s) **“non-resident”** means a person who is not a resident or a resident Canadian;
- (t) **“processing”** means preparing fish for market and includes the icing, packing, cleaning, dressing, filleting, freezing, deboning, smoking, salting, canning, pickling, drying and storing of fish;
- (u) **“resident”** means a person whose principal residence is in Saskatchewan and who has resided in Saskatchewan for the three-month period preceding the application for a licence;
- (v) **“resident Canadian”** means a person other than a resident who has resided continuously in Canada for the one-year period preceding the application for a licence;
- (w) **“retail store”** means a business establishment that is equipped with operating refrigeration facilities and equipment and is licensed or otherwise authorized to serve or market food, and includes a restaurant, food store or chain of food stores;
- (x) **“rough fish”** means any fish of the species set out in Table 9;

- (y) **“round fish”** means the form of a fish as it is taken from the water;
- (z) **“set line”** means an unattended line that is anchored and that has a series of hooks attached to it;
- (aa) **“shipping manifest”** means an authorization to transport fish;
- (aa.1) **“shorelunch”** means fish consumed on the day it was caught;
- (bb) **“subsistence fishing”** means fishing solely for the personal use of the person fishing or for a member of that person's immediate family;
- (cc) **“trap”** means a device or net that catches fish by impoundment, and includes nets commonly known as hoop nets, pound nets and minnow traps but excludes cans or sacks used to take leeches;
- (dd) **“zone”** means a fishing zone set out in Table 5.

7 Apr 95 cF-16.1 Reg 1 s2; 27 Dec 96 SR 102/96
s3; 2 May 97 SR 26/97 s3; 21 May 99 SR 32/
1999 s3; 25 May 2001 SR 27/2001 s3.

Application

3 These regulations do not apply to:

- (a) processed fish that are imported for sale; or
- (b) fish that are not indigenous to Saskatchewan that are imported or kept for aquarium purposes.

7 Apr 95 cF-16.1 Reg 1 s3.

Retained fish

4 For the purposes of these regulations, a fish is retained when:

- (a) it is given away;
- (b) it is eaten for shorelunch; or
- (c) it is not immediately released to the body of water from which it was taken.

7 Apr 95 cF-16.1 Reg 1 s4.

PART II Licences

Licences

5 Every licence is to include:

- (a) the licensee's name;
- (b) the licensee's permanent mailing address;
- (c) the licensee's date of birth; and
- (d) the date on which the licence was issued.

7 Apr 95 cF-16.1 Reg 1 s5.

Fees for licences

6 The fees for licences are set out in Table 1.

7 Apr 95 cF-16.1 Reg 1 s6.

Expiry of licences

7 The expiry date for a licence is the date set out in Table 1 following its date of issue or as otherwise specified on the licence.

7 Apr 95 cF-16.1 Reg 1 s7.

Replacement licences

8 The minister, on being satisfied that a person to whom a licence has been issued has lost that licence, may issue a replacement licence to that person on payment of the fee set out in Table 1.

7 Apr 95 cF-16.1 Reg 1 s8.

Disqualification

9 No person shall apply for or obtain a licence while disqualified or prohibited from doing so.

7 Apr 95 cF-16.1 Reg 1 s9.

Terms and conditions of licence

10(1) Subject to the Act, these regulations and any other regulations made pursuant to the Act, the minister, as a term or condition of a licence, may limit or specify:

- (a) the species of fish that may be taken, held in captivity, processed or marketed pursuant to that licence;
- (b) the maximum or minimum size of any species of fish that may be taken pursuant to that licence;
- (c) the number or weight of each species that may be taken on a daily or other basis pursuant to that licence respecting any area of land, zone, body of water or portion of a body of water in Saskatchewan;
- (d) the number of each species of fish that may be in the possession of the licensee for any area of land, zone, body of water or portion of a body of water in Saskatchewan;
- (e) the body or bodies of water or portion of a body of water to which the licence is limited or relates;
- (f) the time of the year when the holder of a licence may fish in any area of land, zone, body of water or portion of a body of water in Saskatchewan;
- (g) the manner in which fish are to be taken pursuant to that licence;
- (h) the type, quantity or construction of any fishing gear or other equipment that is to be used in connection with that licence and the manner in which the gear or equipment is to be used;
- (i) the type, quantity or construction of any gear or other equipment that is prohibited from use in connection with that licence;

- (j) the manner in which fish taken and retained or processed pursuant to that licence are to be marked and transported; and
 - (k) any other terms or conditions that the minister may consider appropriate.
- (2) No person shall fail to comply with the terms and conditions of his or her licence.
- (3) No person to whom a licence has been issued shall fail to produce that licence on being requested to do so by an officer.

7 Apr 95 cF-16.1 Reg 1 s10; 25 May 2001 SR 27/2001 s4.

PART III Angling GENERAL

Licence required for angling

11(1) Subject to subsection (1.1), no person 16 years of age or older shall angle in Saskatchewan waters unless that person holds an angling licence.

(1.1) Subsection (1) does not apply to residents 65 years of age or older.

(2) Subject to subsection (1.1), no person shall angle on Lac La Ronge, including Hunter Bay of Lac La Ronge, unless that person holds:

- (a) a Lac La Ronge angling endorsement licence; and
- (b) if the person is 16 years of age or older, the angling licence mentioned in subsection (1).

(3) If the holder of an angling licence for a jurisdiction adjacent to Saskatchewan is fishing in portions of the waters set out in Table 2 that are Saskatchewan waters, that person is deemed to be the holder of an angling licence pursuant to these regulations.

(4) No person to whom an angling licence or a Lac La Ronge angling endorsement licence has been issued shall fail to carry that licence while fishing or while possessing fish taken pursuant to that licence.

19 July 2002 SR 67/2002 s3; 6 Aug 2004 SR 65/2004 s3; 8 May 2009 SR 46/2009 s3.

Licence required for competitive fishing event

11.1 No person shall conduct a competitive fishing event without a competitive fishing event licence.

21 May 99 SR 32/1999 s5.

Prohibitions re angling

12 No holder of an angling licence or a Lac La Ronge angling endorsement licence shall allow any other person to use his or her licence.

7 Apr 95 cF-16.1 Reg 1 s12; 2 May 97 SR 26/97 s5; 21 May 99 SR 32/1999 s6; 19 July 2002 SR 67/2002 s4; 6 Aug 2004 SR 65/2004 s4.

Prohibitions re closed times and possession limits

13(1) No person shall angle in a zone or in any Saskatchewan waters during the closed times as designated by the minister or varied by the director pursuant to section 14.

(2) The closed times as designated by the minister or varied by the director pursuant to section 14 do not apply to bow fishing unless otherwise specified in a director's order.

(3) No person shall take and retain in one day by angling more fish of a number, weight or size than the maximum as designated by the minister or varied by the director pursuant to section 14.

(4) No person shall possess more fish of a number, weight or size than the maximum as designated by the minister or varied by the director pursuant to section 14.

27 Dec 96 SR 102/96 s4; 3 Jly 98 SR 56/98 s3.

Designations by minister

14(1) The minister may:

(a) designate the maximum number, weight or size of any species of fish that may be taken by angling from any body of water, portion of any body of water or zone;

(b) designate the maximum number, weight or size of any species of fish that may be possessed from any body of water, portion of any body of water or zone; and

(c) designate the closed times for angling in any body of water, portion of any body of water or zone.

(2) The director may vary any angling limit or closed time designated pursuant to subsection (1).

(3) A designation by the minister pursuant to subsection (1) or an order by the director pursuant to subsection (2) is to be published in the Gazette.

(4) Notwithstanding subsection (3), where, in the opinion of the director, an emergency exists, the director is not required to publish in the Gazette an order made pursuant to subsection (2) but shall give notice by:

(a) posting the notice in the vicinity of the body of water or portion of the body of water affected by the emergency and in the communities within which the majority of the fishermen may reasonably be expected to reside;

(b) publishing the notice in a newspaper published or having general circulation in the area of the emergency where the majority of the fishermen may reasonably be expected to reside; or

(c) providing a radio or television announcement giving notice in the area affected by the emergency.

27 Dec 96 SR 102/96 s5; 3 Jly 98 SR 56/98 s4.

Determination of angling limits and possession limits

15 For the purpose of determining possession limits pursuant to these regulations:

- (a) the length of a fish taken is to be determined as set out in Table 3;
- (b) two fillets are to be considered one fish; and
- (c) where a person catches and retains fish of any species from any waters common to Saskatchewan and an adjoining province, state, territory, national park or Indian reserve, the fish taken and retained from any part of those waters that are not Saskatchewan waters are to be counted in determining whether any limits have been exceeded for the purposes of these regulations.

7 Apr 95 cF-16.1 Reg 1 s15; 26 Apr 96 SR 13/96 s5; 27 Dec 96 SR 102/96 s6.

Lake trout restriction

16(1) No person who catches and retains a lake trout from the waters of Lac La Ronge, including Hunter Bay of Lac La Ronge, pursuant to subsection 11(2) shall:

- (a) fail to immediately:
 - (i) cut out and remove a notch from the edge of his or her licence; or
 - (ii) record the appropriate information respecting that catch on his or her licence; or
- (b) give the lake trout to another person.

(2) No person shall apply for more than one Lac La Ronge angling endorsement licence in any year.

2 May 97 SR 26/97 s6; 21 May 99 SR 32/1999 s7; 6 Aug 2004 SR 65/2004 s5.

Fish identification

17(1) No person shall transport or possess any fish taken by angling unless:

- (a) there is sufficient skin and scales attached to the fish to permit the species to be readily identified; and
- (b) the fish are packed in a manner that will permit the number and length to be readily determined.

(2) Subsection (1) does not apply to fish stored at a person's private residence.

(3) No transportation company, common carrier or other person shall receive for shipment or transport any fish taken by angling unless the shipment is tagged or marked with the name and address of the angler, the licence number pursuant to which the fish were taken and a list of the contents.

(4) Any person who receives a shipment that is not tagged and marked pursuant to subsection (3) shall notify the nearest officer and shall hold the shipment until it is dealt with by an officer.

7 Apr 95 cF-16.1 Reg 1 s17.

Release of fish taken

18 Subject to subsection 24(2) and clause 25(c), no person shall fail to return a fish immediately to the waters in which it was taken in a manner that causes the least harm to the fish where:

- (a) the fish was taken at a time when or place where that person is prohibited from fishing for that fish;
- (b) the fish was taken by a method or with fishing gear that the person is prohibited from using respecting that fish; or
- (c) the possession or retention of that fish is prohibited.

7 Apr 95 cF-16.1 Reg 1 s18.

Prohibitions re possession and use of bait

19(1) Subject to subsection (2), no person shall possess for use as bait or use as bait any live fish.

(2) The following persons may possess for use as bait or use as bait live crayfish, leeches or other aquatic invertebrates:

- (a) a resident who:
 - (i) has a valid angling licence;
 - (ii) is under 16 years of age; or
 - (iii) is 65 years of age or older;
- (b) a non-resident who has a valid angling licence or is under 16 years of age if the live crayfish, leeches or other aquatic invertebrates were purchased in Saskatchewan.

(3) No person other than a resident who has a valid angling licence, is under 16 years of age or is 65 years of age or older shall collect, for his or her own use as bait, live crayfish, leeches or other aquatic invertebrates.

(4) A resident who has a valid angling licence, is under 16 years of age or is 65 years of age or older and who collects, for his or her own use as bait, live crayfish or leeches shall:

- (a) legibly mark his or her angling licence number, if he or she is required to hold an angling licence, and name on any unattended gear that is used to take leeches or crayfish; and
- (b) check any gear that impounds or entraps leeches or crayfish and remove all crayfish and leeches at least once every 48 hours.

(5) No person shall possess for use as bait or use as bait any frog or salamander, whether alive or dead, or any part of any frog or salamander.

7 Apr 95 cF-16.1 Reg 1 s19; 21 May 99 SR 32/
1999 s8; 6 Aug 2004 SR 65/2004 s6; 8 May 2009
SR 46/2009 s4.

Prohibitions re angling

20 No person, while angling, shall:

- (a) use more than one fishing line in open waters;
- (b) use more than two fishing lines in ice-covered waters;
- (c) possess or use any hook that is spring-loaded or otherwise designed to set the hook mechanically when bitten by a fish;
- (d) possess or use a spring-loaded gaff;
- (e) attach more than four hooks to any line;
- (f) use any hook other than a barbless hook in any body of water, portion of any body of water or zone designated by the minister for angling with barbless hooks only;
- (g) be more than 25 metres from any fishing line set or used by that person; or
- (h) be in any place where his or her fishing line or lines are not visible to him or her at all times.

7 Apr 95 cF-16.1 Reg 1 s20; 27 Dec 96 SR 102/
96 s7; 2 May 97 SR 26/97 s7.

Fish taken by angling

21 No person shall market any fish taken by angling.

7 Apr 95 cF-16.1 Reg 1 s21.

ICE FISHING**Prohibitions re ice fishing**

22 No person, while angling on ice-covered waters, shall possess or use:

- (a) a spear; or
- (b) a gaff:
 - (i) that is more than 1.5 metres in total length; or
 - (ii) that has an end other than a J-hook.

7 Apr 95 cF-16.1 Reg 1 s22.

Prohibitions re shelters

23(1) No person shall leave an ice fishing shelter unattended on ice-covered waters unless that person's name, address, and telephone number are clearly and permanently marked on the outside surface of the shelter in letters and numbers not less than 2.5 centimetres in height.

(2) No person shall fail to remove the shelter:

- (a) by March 15, if placed in any part of the Southern Zone south of Highway No. 16;
- (b) by March 31, if placed in any part of Saskatchewan other than the area mentioned in clause (a); or
- (c) at any time at the direction of an officer.

7 Apr 95 cF-16.1 Reg 1 s23.

SPEAR FISHING

Prohibitions re spear fishing

24(1) No person shall engage in underwater spear fishing unless that person:

- (a) is swimming or is fully immersed in the water;
 - (b) uses a spear that is tied to the spear gun or that person by a line that:
 - (i) is not more than five metres in length; and
 - (ii) is of sufficient strength to withstand all operating tensions of the spear gun or hand-operated spear and to retrieve any fish struck by the spear;
 - (c) displays a scuba diver's flag; and
 - (d) is more than 100 metres from a buoyed swimming area.
- (2) No person shall release to the water any fish taken by spear fishing.

7 Apr 95 cF-16.1 Reg 1 s24; 2 May 97 SR 26/97
s8.

BOW FISHING

Prohibitions re bow fishing

25 No person shall:

- (a) engage in bow fishing unless that person:
 - (i) uses a fish arrow that is attached to the bow by a line of sufficient strength to retrieve any fish struck by the arrow; and
 - (ii) is more than 100 metres away from a buoyed swimming area or a public dock;
- (b) take or attempt to take any fish, other than rough fish, by bow fishing; or
- (c) release to the water any fish taken by bow fishing.

7 Apr 95 cF-16.1 Reg 1 s25; 2 May 97 SR 26/97
s9.

PART IV Commercial Fishing

Licence required for commercial fishing

26 No person shall engage in commercial fishing in Saskatchewan waters unless that person holds a commercial fishing licence.

7 Apr 95 cF-16.1 Reg 1 s26.

Commercial fishing licence

27(1) No individual to whom a commercial fishing licence has been issued shall fail to carry the licence while fishing or while possessing fish taken pursuant to that licence.

(2) No corporation to which a commercial fishing licence has been issued shall fail to place the licence on public display at its head office.

(3) Every commercial fishing licence shall list all commercial fisherman's helpers who may be authorized to fish pursuant to the licence.

7 Apr 95 cF-16.1 Reg 1 s27.

Designation, limits and mesh size for commercial fishing

28(1) The minister may:

- (a) designate any body of water for commercial fishing;
- (b) designate the maximum quantity of any species of fish that may be taken by commercial fishing respecting any body of water;
- (c) designate the maximum percentage of any species of fish that may be included in the commercial catch for any body of water;
- (d) designate a minimum net mesh size limit for commercial fishing in any body of water; and
- (e) designate a closed time respecting commercial fishing for any body of water.

(2) A designation by the minister pursuant to subsection (1) is to be published in the Gazette.

(3) Where the minister makes a designation pursuant to clause (1)(b) by weight, or limits the weight of each species that may be taken pursuant to clause 10(1)(c), that weight is with respect to round fish and the weight of dressed fish and, headless dressed fish and filleted fish is to be converted to the weight of round fish by multiplying the weight by the following factors:

- (a) in the case of dressed fish, 1.2;
- (b) in the case of headless dressed fish, 1.4; and
- (c) in the case of filleted fish, 2.4.

7 Apr 95 cF-16.1 Reg 1 s28; 27 Dec 96 SR102/96 s8; 25 May 2001 SR 27/2001 s5; 6 Aug 2004 SR 65/2004 s7.

Opening bodies of water to commercial fishing

29(1) An officer, at any time during the year other than the closed times designated pursuant to clause 28(1)(e), may open any body of water that has been designated for commercial fishing pursuant to clause 28(1)(a).

(2) An officer may close any body of water or portion of any body of water that has been opened to commercial fishing pursuant to subsection (1) where, in the opinion of that officer:

- (a) the maximum quantity for any species of fish designated pursuant to section 28 has been taken by commercial fishing from that body of water;

- (b) the maximum percentage of any species of fish designated pursuant to section 28 has been taken by commercial fishing from that body of water;
 - (c) it has become unsafe or impractical to continue with commercial fishing on that body of water; or
 - (d) fish cannot be properly cared for so as to prevent spoilage.
- (3) The minister or director may close any body of water or portion of any body of water that has been opened to commercial fishing pursuant to subsection (1) where there is evidence of extensive violations of the Act or regulations.
- (3.1) A body of water or portion of a body of water that has been opened to commercial fishing pursuant to subsection (1) may be closed for fisheries management purposes:
- (a) by an officer, if a majority of the commercial fishermen licensed to fish the affected water requests the closing; or
 - (b) by the director.
- (4) Where a body of water or portion of a body of water is opened or closed pursuant to subsection (1), (2), (3) or (3.1), an officer shall give notice to the commercial fishermen affected or likely to be affected by:
- (a) posting the notice in the vicinity of the body of water affected or in the communities within which the majority of the commercial fishermen may reasonably be expected to reside; or
 - (b) giving verbal notice of the opening or closing to those persons.

7 Apr 95 cF-16.1 Reg 1 s29; 27 Dec 96 SR 102/
96 s9; 6 Aug 2004 SR 65/2004 s8.

Closed waters

30 Every body of water or portion of a body of water is closed to commercial fishing unless the body of water or portion of a body of water has been opened to commercial fishing pursuant to subsection 29(1).

7 Apr 95 cF-16.1 Reg 1 s30.

Prohibitions re commercial fishing

31 No person engaged in commercial fishing shall:

- (a) **Repealed.** 20 Apr 2000 SR 22/2000 s3.
- (b) take fish on a body of water:
 - (i) that has not been opened to commercial fishing pursuant to subsection 29(1);
 - (ii) during a period other than that period when it has been opened to commercial fishing pursuant to subsection 29(1); or
 - (iii) after it has been closed to commercial fishing pursuant to subsection 29(2), (3) or (3.1);

- (c) catch and retain any fish in excess of the quantity or percentage specified in that person's licence;
- (d) fish by means of any fishing gear or equipment other than that specified in that person's licence;
- (e) allow any other person to use his or her licence, except a person listed on the licence;
- (f) **Repealed.** 20 Apr 2000 SR 22/2000 s3.
- (g) **Repealed.** 20 Apr 2000 SR 22/2000 s3.

7 Apr 95 cF-16.1 Reg 1 s31; 20 Apr 2000 SR 22/2000 s3; 6 Aug 2004 SR 65/2004 s9.

32 Repealed. 20 Apr 2000 SR 22/2000 s4.

Incidentally taken fish

33(1) Subject to subsection (2), no person engaged in commercial fishing who catches fish, the taking or possession of which is prohibited, shall fail to immediately return the fish to the waters from which it was taken in a manner that causes the least harm to the fish.

(2) Where the fish cannot be released alive into the waters from which it was taken, no person shall fail to report the occurrence to an officer immediately.

(3) An officer may direct any person mentioned in subsection (2):

- (a) to donate the fish for a humanitarian or charitable purpose;
- (b) to destroy the fish in a manner that will not pollute fisheries waters; or
- (c) to dispose of the fish by any other means that is in keeping with the proper management and control of the fisheries and that will not result in an economic benefit to that person.

(4) No person mentioned in subsection (2) shall fail to dispose of the fish in accordance with a direction issued by an officer pursuant to subsection (3).

7 Apr 95 cF-16.1 Reg 1 s33.

Storage of fish taken by commercial fishing

34(1) Where a person is engaged in commercial fishing in open water pursuant to a commercial fishing licence, that person shall pack crushed ice on the top, the bottom and throughout each container holding fish that have been taken.

(2) No person engaged in commercial fishing shall store fish at a place other than that person's residence without clearly identifying the fish with the name and address of the commercial fisherman and the licence number pursuant to which the fish were taken.

7 Apr 95 cF-16.1 Reg 1 s34.

PART V
Subsistence fishing

Subsistence fishing licence

- 35(1)** No person shall engage in subsistence fishing in Saskatchewan waters unless that person is the holder of a licence issued by the minister for that purpose.
- (2) No person to whom a subsistence fishing licence has been issued shall fail to carry the licence while fishing or while possessing fish taken pursuant to that licence.

7 Apr 95 cF-16.1 Reg 1 s35.

36 Repealed. 20 Apr 2000 SR 22/2000 s5.**Prohibitions re subsistence fishing****37(1)** No person engaged in subsistence fishing shall:

- (a) **Repealed.** 20 Apr 2000 SR 22/2000 s6.
 - (b) **Repealed.** 20 Apr 2000 SR 22/2000 s6.
 - (c) engage in subsistence fishing in a location or at a time other than the location or time specified on that person's licence;
 - (d) fish for or possess any species other than those species specified in that person's licence;
 - (e) take any fish in excess of the amount specified in that person's licence;
 - (f) take any fish from locations other than those specified in that person's licence;
 - (g) fish during any period other than that specified in that person's licence;
 - (h) fish by means of any fishing gear or equipment other than that specified in that person's licence; or
 - (i) allow any other person to use his or her licence.
- (2) No person who is licensed for both subsistence fishing and commercial fishing shall engage in subsistence fishing and commercial fishing at the same time.

7 Apr 95 cF-16.1 Reg 1 s37: 20 Apr 2000
SR 22/2000 s6.

Fish taken by subsistence fishing

- 38(1)** No person shall market any fish taken pursuant to a subsistence fishing licence.
- (2) No person engaged in subsistence fishing shall provide any fish caught while engaged in subsistence fishing to any person other than a member of his or her immediate family.

(3) No person shall store or possess fish taken pursuant to a subsistence fishing licence or pursuant to subsection 4(2) or (3) of the *Saskatchewan Fisheries Regulations, 1995* (Canada) at any place other than:

- (a) the residence of the licensee or the person who has taken the fish pursuant to subsection 4(2) or (3) of the *Saskatchewan Fisheries Regulations, 1995* (Canada);
- (b) the residence of the licensee's immediate family or the immediate family of the person who has taken the fish pursuant to subsection 4(2) or (3) of the *Saskatchewan Fisheries Regulations, 1995* (Canada); or
- (c) a place authorized by an officer.

7 Apr 95 cF-16.1 Reg 1 s38; 26 Apr 96 SR 13/96 s.7.

PART VI Bait Fishing

Licence required for bait fishing

39(1) No person shall engage in bait fishing in Saskatchewan waters unless that person is the holder of a bait fishing licence.

(2) No person engaged in bait fishing in waters that are not Saskatchewan waters shall sell any bait fish, crayfish, leeches or aquatic invertebrates unless that person is the holder of a bait fishing licence.

7 Apr 95 cF-16.1 Reg 1 s39; 25 May 2001 27/2001 s6.

Licensing re bait fishing

40(1) No individual to whom a bait fishing licence has been issued shall fail to carry the licence while fishing or while possessing fish taken pursuant to that licence.

(2) No corporation to which a bait fishing licence has been issued shall fail to place the licence on public display at its head office.

7 Apr 95 cF-16.1 Reg 1 s40.

Bait fishing

41 No person engaged in bait fishing shall fail to:

- (a) immediately kill all bait fish taken and preserve the fish by salting or freezing;
- (b) return all fish that are not bait fish unharmed to water from which they were taken, except crayfish or leeches where the person is licensed to engage in commercial fishing for crayfish or leeches;
- (c) clearly and permanently mark all bait fishing gear and all containers of bait fish product with that person's name and address; and
- (d) check any gear that impounds or entraps bait fish, leeches or crayfish and remove all bait fish, crayfish and leeches at least once every 48 hours.

7 Apr 95 cF-16.1 Reg 1 s41; 26 Apr 96 SR 13/96 s.8; 21 May 99 SR 32/1999 s9.

Prohibitions re bait fishing

42 No person, while bait fishing, shall:

- (a) take or possess any species of fish other than bait fish;
- (b) fish for or possess any species other than those species specified in that person's licence;
- (c) take any fish in excess of the amount specified in that person's licence;
- (d) take any fish from locations other than those specified in that person's licence;
- (e) fish during any period other than that specified in that person's licence;
- (f) fish by means of any fishing gear or equipment other than that specified in that person's licence; or
- (g) allow any other person to use his or her licence.

7 Apr 95 cF-16.1 Reg 1 s42.

PART VII
Dip net fishing

Licence required for dip net fishing

43(1) No person shall engage in dip net fishing in Saskatchewan waters unless that person is the holder of a dip net fishing licence.

(2) No person to whom a dip net fishing licence has been issued shall fail to carry the licence while fishing or while possessing fish taken pursuant to that licence.

7 Apr 95 cF-16.1 Reg 1 s43.

Prohibitions re dip net fishing

44 No person, while dip net fishing, shall:

- (a) fish for or possess any species other than rough fish;
- (b) take any fish in excess of the amount specified in that person's licence;
- (c) take any fish from locations other than those specified in that person's licence;
- (d) fish during any period other than that specified in that person's licence;
- (e) fish by means of any fishing gear or equipment other than that specified in that person's licence; or
- (f) allow any other person to use his or her licence.

7 Apr 95 cF-16.1 Reg 1 s44.

PART VIII Aquaculture

Prohibitions re live fish

45(1) Subject to subsection (2), no person shall obtain, transport, raise or possess any live fish of any species without an aquaculture licence.

(2) Subject to the Act, these regulations or any other regulations made pursuant to the Act, any person other than a commercial aquaculturist, without an aquaculture licence, may obtain, transport, raise or possess, within Saskatchewan, live fish of any species set out in Table 4 obtained from a commercial aquaculturist if that person holds those fish in contained waters that are under the control of that person.

(3) For the purposes of this section, “**contained waters**” means:

- (a) a tank, raceway or other container, whether inside or outside a building;
- (b) a dugout, artificial pond, natural pond or lake that is screened at the inlet and outlet to prevent the escape of fish; or
- (c) a body of water that does not flow directly or indirectly into another body of water or a watercourse.

7 Apr 95 cF-16.1 Reg 1 s45; 27 Dec 96 SR 102/
96 s10.

Licensing

46(1) The minister, as a term or condition of an aquaculture licence, may limit or specify:

- (a) the species of fish that may be held in captivity pursuant to that licence;
- (b) the number of each species of fish that may be held in captivity by the holder of that licence respecting any body of water, zone or area in Saskatchewan;
- (c) the size, type or construction of facilities;
- (d) the procedures for disposal of diseased fish and other waste;
- (e) the requirements for approvals or licences from other agencies;
- (f) that the licence is for commercial aquaculture;
- (g) the species or numbers of any species that may be sold;
- (h) a requirement to provide production and sales reports to the department and the format, frequency and contents of those reports; and
- (i) any other terms and conditions that the minister considers appropriate.

(2) If the minister considers it appropriate, the minister may issue an aquaculture licence for a term not exceeding 10 years.

(3) The fee for an aquaculture licence issued pursuant to subsection (2) is the annual fee specified in Table 1 for an aquaculture licence multiplied by the term of the licence.

(4) An aquaculture licence issued pursuant to subsection (2):

- (a) is not transferable; and
- (b) expires on the earlier of:
 - (i) the expiry date shown on the licence; or
 - (ii) the date on which the aquaculture business for which the licence is issued ceases to operate or is sold.

(5) If an aquaculture licence issued pursuant to subsection (2) is cancelled or expires before the expiry date shown on the licence, any fees for the unused term of the licence are non-refundable.

7 Apr 95 cF-16.1 Reg 1 s46; 6 Aug 2004 SR 65/
2004 s10.

Prohibitions re release of aquacultured fish

47(1) No person shall release aquacultured fish into Saskatchewan waters other than in accordance with the Act, these regulations or the terms and conditions of any licence issued to that person pursuant to the Act.

(2) Any aquacultured fish that are released or escape into Saskatchewan waters are wild fish for the purposes of the Act or these regulations.

7 Apr 95 cF-16.1 Reg 1 s47.

Prohibitions re sale

48 No person shall market aquacultured fish unless that person is the holder of a commercial aquaculture licence.

7 Apr 95 cF-16.1 Reg 1 s48.

Acquisition of live fish

49 Subject to the Act and any terms and conditions of his or her licence, an aquaculturist may acquire live fish of any species set out in Table 4 from:

- (a) a commercial aquaculturist; or
- (b) a source outside Saskatchewan if the aquaculturist has a Live Fish Import Permit issued pursuant to the *Fish Health Protection Regulations*, C.R.C. 1978, c.812.

7 Apr 95 cF-16.1 Reg 1 s49; 27 Dec 96 SR 102/
96 s11.

Sale of fish

50(1) A commercial aquaculturist may market fish of his or her own production:

- (a) to consumers;
- (b) to fish processors; and
- (c) subject to federal regulations, in export trade.

(2) No commercial aquaculturist shall market processed fish to a retail store unless he or she is also the holder of:

- (a) a fish processing licence issued pursuant to these regulations; or
- (b) a plant registration certificate issued pursuant to the *Fish Inspection Regulations*, C.R.C. 1978, c.802.

7 Apr 95 cF-16.1 Reg 1 s50.

Fee-for-fishing operations

51(1) No person shall operate a fee-for-fishing operation for aquacultured fish without a commercial aquaculture licence authorizing fee-for-fishing.

(2) No operator of a fee-for-fishing operation shall fail to provide to every person taking and retaining any aquacultured fish a receipt that identifies:

- (a) the name and address of the operator;
- (b) the date the fish was taken; and
- (c) the number of fish retained.

7 Apr 95 cF-16.1 Reg 1 s51.

Marketing of live fish

52(1) No person shall market live fish for aquaculture purposes without a commercial aquaculture licence authorizing the marketing of live fish.

(2) No person who markets live fish for aquaculture purposes shall fail to issue a receipt for the sale that includes the following:

- (a) the name and licence number of the commercial aquaculturist;
- (b) the name of the purchaser;
- (c) the number, size and species of fish purchased;
- (d) the date of the sale;
- (e) the land location of the destination water body.

7 Apr 95 cF-16.1 Reg 1 s52.

Cage culture

53(1) In this section and section 54, "**cage culture**" means the aquaculture of fish held in cages, net pens or similar enclosures in Saskatchewan waters.

(2) No person shall culture fish by cage culture unless that person holds a commercial aquaculture licence allowing cage culture.

7 Apr 95 cF-16.1 Reg 1 s53.

Prohibitions re cage culture

54 No person who cultures fish by cage culture shall fail to:

- (a) remove and dispose of, as specified in the licence, dead, dying, or diseased fish immediately on discovering those fish; or
- (b) report any escape of fish into Saskatchewan waters to the director immediately on becoming aware of the escape.

7 Apr 95 cF-16.1 Reg 1 s54.

Disease

55 No holder of an aquaculture licence shall fail to report to an officer that disease has appeared in the fish at the facility to which his or her licence relates immediately on becoming aware of the disease in the fish.

7 Apr 95 cF-16.1 Reg 1 s55.

Powers of the minister

56 The minister, on becoming aware that there is a disease in the fish at a facility operated by the holder of an aquaculture licence, may order any or all of the following:

- (a) a prophylactic treatment of fish or fish eggs to control or eradicate the disease;
- (b) the disinfection of all fish-handling equipment, containers, and transportation tanks to prevent transmission of the disease;
- (c) the destruction of fish or fish eggs held at the facility;
- (d) the observation of quarantine conditions at the facility;
- (e) the closure of the facility.

7 Apr 95 cF-16.1 Reg 1 s56.

Prohibitions re minister's order

57 No person to whom an order is made pursuant to section 56 shall fail to comply with that order.

7 Apr 95 cF-16.1 Reg 1 s57.

Records re treated fish

58 No commercial aquaculturist who administers any drug or prophylactic treatment to fish shall fail to keep a record of the treatment, including the nature of the treatment, the drug or chemical used, the date of the treatment and the fish treated.

7 Apr 95 cF-16.1 Reg 1 s58.

Prohibitions re sale of treated fish

59(1) The minister may specify a withdrawal period following the application of a drug or chemical treatment for aquacultured fish sold for human consumption.

(2) No person shall market fish for human consumption that have been treated with a drug or other chemical unless the fish have been withdrawn from treatment for the withdrawal period specified by the minister.

7 Apr 95 cF-16.1 Reg 1 s59.

PART IX
Fish Marketing

Fish marketing

60 No person shall market any fish taken in Saskatchewan or produced by commercial aquaculture in Saskatchewan except in accordance with these regulations.

7 Apr 95 cF-16.1 Reg 1 s60.

Minister may prohibit marketing

61(1) The minister may prohibit the marketing of any species of fish from any water.

(2) No person shall market any species of fish if marketing that species has been prohibited.

(3) Subsection (2) does not apply to persons marketing:

(a) whitefish or cisco that have been processed so that the incidence of *Trianaophorus crassus* infestation is less than 80 cysts per 45 kilograms of fish, or that are sold for the purposes of that processing; or

(b) fish to the Corporation.

(4) No person shall market any walleye or sauger weighing:

(a) 0.350 kilograms or less, as round fish;

(b) 0.315 kilograms or less, as dressed fish with head;

(c) 0.230 kilograms or less, as headless dressed fish; or

(d) 0.150 kilograms or less, as two fillets.

(5) No person shall market sturgeon weighing 5.4 kilograms or less, as round fish.

27 Dec 96 SR 102/96 s12.

Marketing requirements

62(1) Subject to subsections (2) and (3), no person other than the following shall market fish for human consumption without a fish processing licence:

(a) the Corporation;

(b) a retail store;

(c) a fish pedlar.

(2) A commercial fisherman, subject to the provisions of the Act, these regulations and any terms and conditions of his or her commercial fishing licence, may:

(a) market fish of his or her own harvest within Saskatchewan:

(i) for human consumption:

(A) in round or dressed form to the Corporation or to a fish processor; or

(B) in round, dressed or processed form directly to a consumer; or

- (ii) other than for human consumption to:
 - (A) a fish processor;
 - (B) a user of fish for animal feed; or
 - (C) a producer of pet food, fish meal, fertilizer or other non-edible products made from fish; and
 - (b) market fish of any person's lawful harvest, with the consent of that person, to the Corporation.
- (3) Subject to subsection (4), no retail store shall buy fish taken from Saskatchewan waters unless those fish have been processed through a licensed fish processing plant.
- (4) A retail store may buy fish from a commercial fisherman or commercial aquaculturist as long as the retail store is the holder of a fish processing licence.

7 Apr 95 cF-16.1 Reg 1 s62; 20 Apr 2000
SR 22/2000 s7.

Purchasing and marketing by fish processor

63 Subject to the provisions of the Act, these regulations and any terms and conditions of any other licence that a fish processor holds in connection with obtaining and marketing fish, a fish processor may:

- (a) buy fish from:
 - (i) the Corporation;
 - (ii) a commercial fisherman;
 - (iii) a commercial aquaculturist; or
 - (iv) another fish processor; and
- (b) market fish to:
 - (i) the Corporation;
 - (ii) another fish processor;
 - (iii) a retail store;
 - (iv) a fish pedlar;
 - (v) a consumer;
 - (vi) a user of fish for animal feed; or
 - (vii) a producer of pet food, fish meal, fertilizer or other non-edible products made from fish.

7 Apr 95 cF-16.1 Reg 1 s63.

Processing fish

64(1) No person, other than the Corporation or the operator of a retail store, shall operate a processing plant without a fish processing licence.

(2) No person shall operate a processing plant unless the plant meets the requirements set out in Table 6.

- (3) Subsection (2) does not apply to:
- (a) the holder of a registration certificate issued pursuant to the *Fish Inspection Regulations*, C.R.C. 1978, c.802; or
 - (b) the operator of a retail store who dresses or processes fish for marketing in his or her retail store.
- (4) Subsections (1) and (2) do not apply to a commercial fisherman who dresses and processes fish of his or her own harvest for marketing directly to a consumer.

7 Apr 95 cF-16.1 Reg 1 s64; 27 Dec 96 SR 102/
96 s13.

Prohibitions re processing of fish, etc.

65 No operator of a processing plant shall process any fish at any location other than within the facility with respect to which the fish processing licence was issued.

7 Apr 95 cF-16.1 Reg 1 s65.

Fish pedlar

66(1) No person shall engage in fish peddling unless that person holds a fish pedlar's licence.

(2) Subject to the provisions of the Act, these regulations and any terms and conditions of any licence that a person holds in connection with obtaining and marketing fish, a fish pedlar may:

- (a) buy packaged, processed fish from:
 - (i) the Corporation;
 - (ii) a retail store; or
 - (iii) a fish processor; and
- (b) market that fish for human consumption to consumers.

7 Apr 95 cF-16.1 Reg 1 s66; 26 Apr 96 SR 13/96
s.9.

Prohibitions re fish pedlar

67 No fish pedlar shall:

- (a) market fish or fish products that are not packaged with a label including:
 - (i) the name of the packager;
 - (ii) the species of fish; and
 - (iii) the net weight of the fish or fish products;
- (b) process, reprocess or repackage any fish or fish products; or
- (c) market fish or fish products other than frozen fish or frozen fish products.

7 Apr 95 cF-16.1 Reg 1 s67.

Documentation regarding sales

68(1) No fish pedlar, fish processor, commercial fisherman, commercial fisherman's helper or commercial aquaculturist who markets fish to a consumer shall fail to:

- (a) display the licence or a copy of the licence authorizing the sale at the point of sale;
 - (b) issue an invoice or sales slip stating:
 - (i) the name, address and licence number of the licensee authorized to make the sale;
 - (ii) in the case of:
 - (A) a commercial fisherman or commercial fisherman's helper, the name of the body of water from which the fish was taken; or
 - (B) a fish pedlar or fish processor, the name of the packager;
 - (iii) the fish species and the form in which it is sold;
 - (iv) the quantity and the sale price of the fish;
 - (v) the date of the sale; and
 - (vi) signature of the seller; and
 - (c) keep a copy of every invoice or sales slip issued pursuant to this section for not less than one year following the date on which it was issued.
- (2) The Corporation and every fish processor, on buying fish, shall:
- (a) verify that the seller holds a licence;
 - (b) issue a purchase record for the fish, countersigned by the seller or his or her agent or helper, stating:
 - (i) the name, address and licence number of the seller;
 - (ii) the name of the body of water from which the fish was taken;
 - (iii) the fish species and the form in which it is bought;
 - (iv) the quantity and purchase price of the fish;
 - (v) the date of the purchase; and
 - (vi) the quantity, form and species of fish culled at the processing plant and not purchased;
 - (c) obtain a copy of any shipping manifest required by these regulations;
 - (d) provide a copy of the purchase record and shipping manifest to the officer responsible for the body of water from which the fish was taken within 48 hours or as otherwise directed by the officer; and
 - (e) keep a copy of every purchase record issued pursuant to this section for not less than two years following the date on which it was issued.

(3) The Corporation and every fish processor, on receiving fish that cannot immediately be purchased, shall:

- (a) issue a receipt for the fish, countersigned by the seller or his or her agent or helper, stating:
 - (i) the name, address and licence number of the seller;
 - (ii) the date;
 - (iii) the name of the body of water from which the fish was taken; and
 - (iv) the quantity of fish received;
- (b) retain a copy of the receipt until the fish is purchased and a purchase record is issued pursuant to clause (2)(b); and
- (c) clearly mark the name, address, and licence number of the seller on the container or structure storing the fish.

7 Apr 95 cF-16.1 Reg 1 s68; 26 Apr 96 SR 13/96 s.10; 2 May 97 SR 26/97 s10.

Royalties

69(1) No commercial fisherman who delivers fish harvested for market to the Corporation or a fish processor shall fail to pay a royalty to the department calculated on the basis of the weight of fish delivered as set out in Table 7.

(2) The minister may require the Corporation or any fish processor who receives delivery of fish harvested for market to collect on behalf of the department the royalty payable pursuant to subsection (1) respecting the fish and to remit it to the department at the time and in the manner determined by the minister.

7 Apr 95 cF-16.1 Reg 1 s69; 27 Dec 96 SR 102/96 s14.

Recovery of royalty from commercial fisherman

70 Where a commercial fisherman who is liable to pay a royalty pursuant to section 69 refuses or fails to pay the royalty to the department or to the Corporation or a fish processor on behalf of the department, the minister may recover the royalty payment from the commercial fisherman, together with the legal costs of doing so, in any court of competent jurisdiction.

7 Apr 95 cF-16.1 Reg 1 s70.

Refusal to collect and remit royalty

71 No fish processor who is required pursuant to section 69 to collect royalty payments on behalf of the department shall fail to collect and remit any royalty payment collected by him or her to the department within the time and in the manner determined by the minister.

7 Apr 95 cF-16.1 Reg 1 s71.

Recovery of royalty from fish processor

72 Where a fish processor fails or refuses to remit to the department within the time and in the manner determined by the minister a royalty payment required to be collected by the fish processor respecting fish delivered to the processor for market, the minister may recover the royalty payment from the fish processor, together with the legal costs of doing so, in any court of competent jurisdiction.

7 Apr 95 cF-16.1 Reg 1 s72.

Commercial fisherman who is also a fish processor

73 Where a commercial fisherman who is a fish processor markets fish of his or her own harvest to a person other than a consumer or the Corporation, the fisherman is deemed to have delivered the fish to a fish processor and shall pay the royalty payable mentioned in section 69.

7 Apr 95 cF-16.1 Reg 1 s73.

False or misleading representations

74 No person shall represent the origin or species of fish or mark, label, package or market fish in a manner that is false or misleading.

7 Apr 95 cF-16.1 Reg 1 s74.

Unclean fish

75(1) No person shall store, package, process or transport any fish intended for marketing for human consumption that is unclean, tainted, unwholesome, diseased, decomposed or otherwise unfit for human consumption.

(2) No person shall market or possess fish that is intended for marketing that is not protected from insects, dust, contamination or decomposition.

7 Apr 95 cF-16.1 Reg 1 s75.

Transportation and packaging

76(1) No person shall transport any fish intended for marketing, other than live fish, unless the fish is packaged in boxes or containers:

(a) made of washable, smooth, non-absorbent and non-corrosive material, other than wood; and

(b) constructed in a manner that provides drainage and protects the fish from damage by crushing.

(2) Notwithstanding subsection (1), frozen fish or fish parts kept in a frozen condition may be packed in clean cardboard boxes for the purpose of storing for, or transporting to, market.

7 Apr 95 cF-16.1 Reg 1 s76.

Containers

77 No person operating a vessel, vehicle, establishment or plant that is used to store, transport or market fish shall fail to ensure that fish containers, vessels and vehicles are and remain clean and sanitary and that they are washed and disinfected before every use.

7 Apr 95 cF-16.1 Reg 1 s77.

Preventing spoilage

78 No person in possession of fresh fish, other than live fish, intended for marketing shall fail to ensure that it is kept chilled at all times at a temperature not exceeding 4° Celsius.

7 Apr 95 cF-16.1 Reg 1 s78.

Dressed fish

79 No person marketing fish in a dressed form shall fail to ensure that the fish:

- (a) has the entrails, kidneys and gills completely removed;
- (b) is clean; and
- (c) where it is to be frozen, is washed with clean water before freezing.

7 Apr 95 cF-16.1 Reg 1 s79.

Transport of fish

80(1) No person, other than the Corporation or a person otherwise authorized on his or her licence, shall transport any fish, other than live fish or fish eggs, for the purposes of marketing unless the person has in his or her personal possession a completed shipping manifest obtained from the department for the fish being transported.

(2) Subject to subsection (1), no person delivering fish to the Corporation or a fish processor shall fail to give a completed copy of the shipping manifest to the purchaser.

(3) No person shall fail to return to the department all shipping manifest books assigned to that person by May 15 of each year.

7 Apr 95 cF-16.1 Reg 1 s80; 26 Apr 96 SR 13/96 s.11; 21 May 99 SR 32/1999 s10.

Suspension of fish processing licence

81(1) The minister may suspend any fish processing licence where the processing plant to which the licence relates does not meet the requirements set out in these regulations.

(2) Where a fish processing licence is suspended pursuant to subsection (1) no person shall operate the processing plant until the minister:

- (a) is satisfied that the processing plant meets the requirements set out in these regulations; and
- (b) lifts the licence suspension.

7 Apr 95 cF-16.1 Reg 1 s81.

Protection of human health

82(1) The minister may order the destruction or disposal of any fish or fish container that poses a hazard to human health.

(2) No person shall fail to comply with an order made pursuant to subsection (1).

7 Apr 95 cF-16.1 Reg 1 s82.

Tagging

83(1) An officer may place an identification tag on any fish or fish container to preserve its identity or may order that fish or fish container to be detained.

(2) No person shall alter, move or remove, cause to be altered, moved or removed or consent to the alteration, moving or removal of any identification tag or tagged fish or fish container without the permission of an officer.

7 Apr 95 cF-16.1 Reg 1 s83.

Report to department

84 No commercial fisherman who disposes of fish other than by delivery to the Corporation or a fish processor shall fail to submit to the department a complete report setting out the details of all fish taken and any shipping manifests for the report period by the date specified on the licence or as otherwise directed by an officer.

7 Apr 95 cF-16.1 Reg 1 s84.

PART X

General

Salvage fishing

85 Notwithstanding any other provision in these regulations, where the minister or director determines that all fish of a species or a population in a body of water are likely to die, the minister may authorize the taking of those fish on any terms and conditions that the minister or director considers appropriate.

7 Apr 95 cF-16.1 Reg 1 s85.

Disposal of equipment, etc.

85.1 Any fishing gear, equipment, vehicle, aircraft, boat or other watercraft may be disposed of by auction, tender or any other means the minister considers appropriate where:

- (a) the item has been forfeited to the Crown pursuant to the Act; or
- (b) the item is to be returned to the person from whom it was seized and that person and anyone authorized to act on that person's behalf cannot be located.

25 May 2001 SR 27/2001 s7.

Special licences

86(1) The minister may issue a licence to any person or the government of any province, territory or country, to secure fish by any method for propagation or for scientific purposes.

(2) The minister may issue a complimentary angling licence or Lac La Ronge angling endorsement licence to any person.

(3) The minister may specify the terms and conditions of a licence issued pursuant to subsection (1) or (2).

7 Apr 95 cF-16.1 Reg 1 s86; 2 May 97 SR 26/97 s11; 25 May 2001 SR 27/2001 s8.

Agents

87(1) The minister may authorize any person to issue angling licences or Lac La Ronge angling endorsement licences on behalf of the Government of Saskatchewan.

(2) The minister may provide remuneration in a manner and in an amount the minister considers appropriate from the proceeds of licence sales to persons authorized by the minister to sell licences.

7 Apr 95 cF-16.1 Reg 1 s87; 2 May 97 SR 26/97
s12; 25 May 2001 SR 27/2001 s9.

Importation and transportation of live fish

88(1) Subject to subsection (2) and subsection 45(2), no person shall:

- (a) import into Saskatchewan any live freshwater fish; or
- (b) transport any live freshwater fish, other than leeches, crayfish or aquatic invertebrates, within Saskatchewan.

(2) The minister may issue a licence to any person authorizing that person to carry out any activity described in subsection (1) that is in keeping with the conservation and protection of fish and fish habitat and the proper management of fisheries.

7 Apr 95 cF-16.1 Reg 1 s88; 21 May 99 SR 32/
1999 s11.

Disposal of fish offal

89 No person shall dispose of fish offal in a body of water within 300 metres of a buoyed swimming area or public boat launch.

7 Apr 95 cF-16.1 Reg 1 s89.

Prohibitions re methods of fishing

90(1) No person shall, unless authorized by the minister:

- (a) use a firearm or explosive material to fish for or kill fish;
- (b) use a chemical or electric shocker to fish for or kill fish;
- (c) grapple or otherwise use hands alone to fish;
- (d) fish by snagging or snaring;
- (e) use a gaff to fish except when landing fish taken by angling;
- (f) use a spear to fish except when underwater spear fishing;
- (g) use a dip net to fish except when landing fish taken by angling;
- (h) use a light to attract fish for the purpose of fishing, other than a light that is part of a fishing lure attached to a line used in angling;
- (i) use a minnow trap or minnow seine except when engaged in bait fishing;
- (j) set or use a trap to fish;
- (k) set or use a gill net or set line;
- (l) fish in any water stocked with exotic fish by any method other than angling;

- (m) use a gill net in any body of water that has a mesh size:
 - (i) less than the size specified for that body of water pursuant to a Minister's Designation or as varied by a Director's Order for commercial fishing lakes;
 - (ii) less than 12.7 centimetres where a mesh size has not been specified by a Minister's Designation for commercial fishing lakes; or
 - (iii) less than that specified in that person's licence;
 - (n) use a trap net, gill net, set line or set of nets for fishing unless that person places at the outermost extremity of each trap net, gill net, set line or set of nets:
 - (i) a buoy with a flag, the top of which is at least one metre above the surface of the water, where the trap net, gill net, set line or set of nets is used for open water fishing;
 - (ii) a stake, the top of which is at least one metre above the surface of the ice, where the net, set line or set of nets is used for fishing in ice-covered water; or
 - (iii) any other buoy, stake or other identification specified as a condition of the licence; or
 - (o) use a buoy, stake or other identification mentioned in clause (n) unless that buoy, stake or other identification is clearly and permanently marked with the number of the licence pursuant to which the use of the trap net, gill net, set line or set of nets is authorized.
- (2) In subsection (1), **"exotic fish"** means fish that are not indigenous to Saskatchewan and in their natural habitat are usually found wild in nature.

7 Apr 95 cF-16.1 Reg 1 s90; 2 May 97 SR 26/97
s13; 3 Jly 98 SR 56/98 s5; 20 Apr 2000 SR 22/
2000 s8; 6 Aug 2004 SR 65/2004 s11.

Prohibitions re possession or purchase of fish

91(1) No person shall possess or buy or attempt to buy fish:

- (a) that the person knows or ought to have known were taken or obtained contrary to the provisions of the Act or these regulations; or
 - (b) that are represented or held out by a person as having been taken, or as being sold or disposed of, contrary to the provisions of the Act or these regulations.
- (2) No person shall obtain possession of or buy or attempt to buy fish by a transaction that is contrary to the provisions of the Act or these regulations.

20 Apr 2000 SR 22/2000 s9.

General prohibitions**92** No person shall:

- (a) tag or mark live fish without the permission of the minister;
- (b) destroy, deface, tear down or damage any poster, notice or sign that has been authorized by the minister, the director or an officer that has been erected or posted for the purpose of informing the public of any provision of the Act, these regulations or the provisions of any notice or order issued pursuant to these regulations;
- (c) abandon, handle, transport or dispose of any fish in a way that wastes, spoils or otherwise renders those fish unsuitable for human consumption except as authorized on a licence or authorized by an officer;
- (d) counterfeit, backdate, alter or change any licence;
- (e) transfer or assign his or her licence or permit to any other person without the consent of the minister;
- (f) fish in, or remove fish from, any fish holding facility or fish collection structure owned or operated by the Government of Saskatchewan unless authorized by the minister;
- (g) remove fish from a net, set line, trap or fish holding device or tamper with any net, set line, trap or fish holding device without permission of the owner; or
- (h) fish within 100 metres of any net, trap or fish holding device unless otherwise specified on the licence or authorized by an officer;
- (i) fail to check each trap net, gill net, set line or set of nets and remove all fish at least once every 48 hours or as otherwise specified on the licence or directed by an officer; or
- (j) have, without lawful excuse, a net with leads and floats attached within 500 metres of any water if that net is of a smaller mesh size than the mesh size permitted to be used for fishing in those waters pursuant to these regulations.

7 Apr 95 cF-16.1 Reg 1 s92; 26 Apr 96 SR 13/96
s.12; 20 Apr 2000 SR 22/2000 s10.

PART XI**Repeal and Coming into Force****R.R.S. c.F-16 Reg 1 repealed****93** *The Fish Marketing Regulations* are repealed.

7 Apr 95 cF-16.1 Reg 1 s93.

Sask. Reg. 83/70 repealed**94** Saskatchewan Regulations 83/70 are repealed.

7 Apr 95 cF-16.1 Reg 1 s94.

Appendix

TABLE 1
[Sections 6 to 8]

Type of licence	Licence Fee	Southern and Central Zones Expiry Dates	Northern Zone Expiry Dates
1 Angling Licence			
(a) Resident under 65 years of age	\$28.04	March 31	April 15
(b) Repealed. 8 May 2009 SR 46/2009 s5.			
(c) Resident Canadian	56.07	March 31	April 15
(d) Non-resident	74.77	March 31	April 15
(e) Resident for Southern Zone and Central Zone only (three-day)	14.02	*	N/A
(f) Resident Canadian for Southern Zone and Central Zone only (three-day)	28.04	*	N/A
(g) Non-resident for Southern Zone and Central Zone only (three-day)	37.38	*	N/A
(h) Complimentary	No Fee	March 31	April 15
(i) Replacement	5.00	March 31	April 15
2 Special Angling Licences			
Lac La Ronge Angling Endorsement Licence	No Fee	March 31	
3 Aquaculture Licence	15.00	*	*
4 Net Fishing Licence			
(a) Commercial fishing			
(i) for each 1000 m or portion of gill net	10.00	April 15	April 15
(ii) for a trap or pound net	20.00	April 15	April 15
(iii) for each set line of 100 hooks or portion for sturgeon or burbot fishing	10.00	April 15	April 15
(b) Subsistence fishing	No Fee	April 15	April 15

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(c) Bait fishing	20.00	March 31	March 31
(d) Dip net fishing	5.00	*	*
5 Fish Processing Licence	25.00	March 31	March 31
6 Other Licences			
(a) Scientific collection	No Fee	*	*
(b) Live fish import or transport	No Fee	*	*
(c) Fish pedlar	25.00	April 15	April 15
(d) Competitive Fishing Licence	No Fee	*	*

* As specified on the licence.

6 Aug 2004 SR 65/2004 s12; 9 Jne 2006 SR 48/2006 s2; 8 May 2009 SR 46/2009 s5.

TABLE 2
[Subsection 11(3)]

Border Waters

Athapapuskow Lake	NL 54°33' WL 101°40'	Central Zone
Cold Lake	NL 54°33' WL 110°00'	Central Zone
Lake of the Prairies	NL 51°15' WL 101°32'	Southern Zone

7 Apr 95, c.F-16.1 Reg 1 Table 2.

TABLE 3
[Clause 15(a)]

Conversion Factors to Determine Fish Length

Species	Conversion Factor for Fillets	Conversion Factor for Headless Dressed
Arctic Grayling	1.45	1.15
Lake Trout	1.53	1.18
Northern Pike	1.57	1.25
Rainbow Trout	1.49	1.20
Splake	1.46	1.21
Walleye and Sauger	1.59	1.24

Fish Length = Conversion Factor x Fillet Length or Conversion Factor x Headless Dressed Length

7 Apr 95, c.F-16.1 Reg 1 Table 5; 27 Dec 96 SR 102/96 s15.

TABLE 4
[Subsection 45(2) and section 49]

Fish that may be cultured without a licence in Contained Waters

Common Name	Species Name
Rainbow trout	<i>Oncorhynchus mykiss</i>
Cutthroat trout	<i>Salmo clarki</i>
Atlantic salmon	<i>Salmo salar</i>
Brown trout	<i>Salmo trutta</i>
Brook (Speckled trout)	<i>Salvelinus fontinalis</i>
Arctic char	<i>Salvelinus alpinus</i>

and hybrids of the above species.

7 Apr 95, c.F-16.1 Reg 1 Table 7; 27 Dec 96 SR
102/96 s15.

TABLE 5
[Clause 2(dd)]

Fishing Zones

Northern Zone	The waters intersected by or lying north of a line commencing at the intersection of the provincial boundary between Saskatchewan and Alberta and 57°00'N. latitude, thence easterly in a straight line to a point at 57°00'N. latitude and 108°00'W. longitude, then southerly in a straight line to a point at 56°40'N. latitude, 108°00'W. longitude, thence easterly in a straight line to a point at 56°40'N. latitude, 106°00'W. longitude, thence southerly in a straight line to a point at 56°10'N. latitude, 106°00'W. longitude, thence easterly in a straight line ending at the intersection of the provincial boundary between Saskatchewan and Manitoba and 56°10'N. latitude, but not including those waters of the Clearwater River and its tributaries south of 57°00'N. latitude and those waters of the Mudjatik River and the Haultain River south of 56°40'N. latitude.
Central Zone	The waters intersected by or lying north of a line commencing at the intersection of the provincial boundary between Saskatchewan and Alberta and Highway 55, thence easterly along the centre-line of Highway 55 to its intersection with the Saskatchewan River near Nipawin, thence approximately 5 km southerly along the left bank of the Saskatchewan River to its intersection with the François-Finlay Dam at approximately 53°21'N. latitude, 104°02'W. longitude, thence easterly along the François-Finlay Dam to its intersection with the right bank of the Saskatchewan River, thence northerly along the right bank of the Saskatchewan River to its intersection with the centre-line of Highway 55, thence easterly along the centre-line of Highway 55 to its intersection with Highway 9, thence easterly along the centre-line of Highway 9 and ending at the intersection of the

centre-line of Highway 9 and the provincial boundary between Saskatchewan and Manitoba and the waters lying south of a line commencing at the intersection of the provincial boundary between Saskatchewan and Alberta and 57°00'N. latitude, thence easterly in a straight line to a point at 57°00'N. latitude, 108°00'W. longitude, thence southerly in a straight line to a point at 56°40'N. latitude, 108°00'W. longitude, thence easterly in a straight line to a point at 56°40'N. latitude, 106°00'W. longitude, thence southerly in a straight line to a point at 56°10'N. latitude, 106°00'W. longitude, thence easterly in a straight line ending at the intersection of the provincial boundary between Saskatchewan and Manitoba and 56°10'N. latitude, but not including any waters set out in item 1 as part of the Northern Zone or those waters of the tributaries of the Saskatchewan River and those waters of the Beaver River and its tributaries south of the centre-lines of Highways 55 and 9.

Southern Zone The waters in that portion of Saskatchewan lying between the International Boundary between Canada and the United States of America and lying south of a line commencing at the intersection of the provincial boundary between Saskatchewan and Alberta and Highway 55, thence easterly along the centre-line of Highway 55 to its intersection with Highway 9, thence easterly along the centre-line of Highway 9 to the provincial boundary between Saskatchewan and Manitoba, but not including any waters set out in item 2 as part of the Central Zone.

7 Apr 95, c.F-16.1 Reg 1 Table 9; 27 Dec 96 SR
102/96 s15.

TABLE 6
[Subsection 64(2)]

Processing Plant Requirements

- 1 Floors are to be constructed of concrete and are to be:
 - (a) sloped to one or more drains of sufficient size to carry off processing effluent; and
 - (b) smooth and free of cracks or crevices.
- 2 Floor drains are to be equipped with traps and are to be connected to a sewer, cesspool, or holding tank approved by an officer for this purpose and adequate for the volume of effluent to be discarded.
- 3 Inside wall surfaces are to be:
 - (a) constructed of smooth and waterproof washable material of light colour; and
 - (b) sealed at all joints with each other and with the floor and ceiling by continuous caulking or other impervious sealant in good repair.
- 4 Ceilings are to be free of cracks and crevices, constructed of smooth and waterproof washable material of light colour.

- 5 The plant is to be constructed so as to be inaccessible to rodents and other animals.
- 6 Windows that open are to be equipped with insect-proof screens.
- 7 A sanitary toilet with toilet paper is to be provided on the premises.
- 8 A sanitary wash basin, equipped with hot and cold running water, soap, and single-service towels, is to be provided on the premises.
- 9 An adequate supply of hot and cold running water under pressure is to be provided:
 - (a) from an approved municipal supply; or
 - (b) from a well or other source having a coliform bacteria count of not more than two per 100 millilitres.
- 10 For storage of fresh fish that cannot be immediately processed or otherwise handled and fresh fish that cannot be immediately marketed, the plant is to be provided with a holding room, separate from the processing area, which is refrigerated or supplied with adequate ice for properly icing all fish.
- 11 Freezing facilities are to be capable of maintaining air temperatures of -26° Celsius.
- 12 A kiln for smoking fish is to be:
 - (a) constructed of or covered with concrete or stainless steel; and
 - (b) located in a smoking room that has an independent source of ventilation and, if enclosed in a building or structure, is separated from other areas of the building or structure by permanent enclosed walls.
- 13 Each material, including sawdust, salt, or woodchips, that is used for the smoking of fish must be stored in a separate container that is to be constructed of a material adequate to prevent absorption of moisture and contaminants by the material in the container.
- 14 All surfaces of work areas, including dressing or cutting boards or tables, are to be constructed of washable, non-corrodible material, other than wood, and all joints are to be smooth and watertight.
- 15 Dressing or cutting boards or tables are to be installed in such a way that they and the area below them are easily cleaned.
- 16 All receptacles, trays and utensils are to be constructed of washable, non-corrodible material, other than wood or enamelled metal, and are to be free of cracks or crevices.
- 17 Boxes for fish storage and handling are to be made of smooth, non-absorbent, non-corrodible material, other than wood, free from cracks and crevices and so constructed as to provide drainage and protect the fish from damage by crushing when the boxes are stacked.
- 18 Watertight, drainable and washable offal and waste containers of sufficient size and number, with well-fitted covers, constructed of non-corrodible material other than wood, are to be provided.

- 19 An offal and waste disposal site approved by an officer is to be available nearby or near the plant.
- 20 All fish delivered to a processing plant that cannot be immediately processed or otherwise handled is to be iced or refrigerated during storage at a temperature not exceeding 4° Celsius.
- 21 All fish that has been processed or otherwise handled, but that is not marketed immediately, is to be frozen or stored at a temperature not exceeding 4° Celsius.
- 22 Fish fillets and steaks are to be properly washed with clean water before freezing, packaging, packing or storing, and fish or fish parts are to be properly washed with clean water before further processing.
- 23 All fish shipped from the plant for human consumption is to be packaged in a fashion that will protect the fish from contamination.
- 24 Protective hand coverings worn by employees engaged in processing are to be washed and disinfected at each break in the work shift.
- 25 Headcovers and waterproof garments are to be worn by employees while processing fish and are to be washed daily while fish processing takes place.
- 26 Working surfaces, used containers, trays, vats, and other utensils are to be washed and disinfected not less than once daily while processing takes place.
- 27 Floors in processing areas are to be washed daily while fish processing takes place.
- 28 Fish storage boxes are to be washed and disinfected whenever emptied.
- 29 Offal and other waste is to be removed from any processing area not less than once daily while processing takes place and disposed of at a site approved by an officer.
- 30 Containers used for storage of offal and other waste are to be washed and disinfected whenever emptied.
- 31 Floors in fish storage areas are to be washed not less than once weekly while fish processing takes place and on termination of processing operations.
- 32 Unnecessary equipment or material is not to be stored in the working area of a processing plant.
- 33 Brushes, brooms, mops and other cleaning equipment and material necessary for proper cleaning are to be available at all times in a processing plant.
- 34 No dogs, cats or other animals are to be allowed in a processing plant.
- 35 No smoking is to be allowed in a processing plant.
- 36 Every person engaged in fish processing shall wash his or her hands and immerse them in disinfectant:
- (a) on entry to the fish processing area; and
 - (b) each time that his or her fish processing activity is interrupted by his or her engaging in any other activity.

TABLE 7
[Subsection 69(1)]

Fish Marketing Royalties

Fish	Royalty per Kilogram
Lake Trout	\$0.035
Northern Pike	0.030
Sturgeon	0.370
Walleye	0.075
Whitefish	0.020

7 Apr 95, c.F-16.1 Reg 1 Table 11; 27 Dec 96
SR 102/96 s15.

TABLE 8
[Clause 2(c)]

Bait Fish

- 1 Any species of the minnow family, *Cyprinidae*, except carp, *Cyprinus carpio*, silvery and brassy minnows of the genus *Hybognathus* and goldfish, *Carassius auratus*.
- 2 The sucker family, *Catostomidae*, except bigmouth buffalo, *Ictiobus cyprinellus*.
- 3 The stickleback family, *Gasterosteidae*.
- 4 The trout-perch family, *Percopsidae*.
- 5 The darter subfamily, *Etheostomatidae*.
- 6 The smelt family, *Osmeridae*.
- 7 The cisco subfamily, *Coregoninae*, except shortjaw cisco, *Coregonus zenithicus*.

7 Apr 95, c.F-16.1 Reg 1 Table 12; 27 Dec 96
SR 102/96 s15; 25 May 2001 SR 27/2001 s10; 6
Aug 2004 SR 65/2004 s12.

TABLE 9
[Clause 2(x)]

Rough Fish

- 1 Carp (*Cyprinus carpio*)
- 2 All species of the sucker family (*Catostomidae*), except bigmouth buffalo, *Ictiobus cyprinellus*.

7 Apr 95, c.F-16.1 Reg 1 Table 13; 27 Dec 96
SR 102/96 s15; 25 May 2001 SR 27/2001 s11.

Editorial Appendix

The tables listed in Part A of this Appendix have been repealed and are not included in this consolidation. The appendix references the name of the table, the number of the regulation and the date of the Gazette in which it or any amendments can be found.

Table	Name	Gazette Information
PART A		
TABLE 3	Closed Times for Angling other than Bow Fishing	7 Apr 95, c.F-16.1 Reg 1 Table 3; Repealed by 27 Dec 96 SR 102/96 s15.
TABLE 4	Angling Limits	7 Apr 95, c.F-16.1 Reg 1 Table 4; Repealed by 27 Dec 96 SR 102/96 s15.
TABLE 6	Commercial Fishing Closed Times	7 Apr 95, c.F-16.1 Reg 1 Table 6; Repealed by 27 Dec 96 SR 102/96 s15.
TABLE 8	Fish that may not be Marketed for Human Consumption	7 Apr 95, c.F-16.1 Reg 1 Table 8; Repealed by 27 Dec 96 SR 102/96 s15.

PART B

Table 5 is renumbered as Table 3.

Table 7 is renumbered as Table 4

Tables 9 to 13 are renumbered as Tables 5 to 9.

27 Dec 96 SR 102/96 s15.

2009-2

Volume 6

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I-2 Reg 3	<i>The Assignment of Income Tax Refunds Regulations, 1984</i>
I-2 Reg 2	<i>The Income Tax Deduction Regulations</i>
SR 354/76	<i>The Saskatchewan Royalty Tax Rebate Regulations</i>

Under *The Income Tax Act, 2000* c.I-2.01

I-2.01 Reg 4	<i>The Employees' Tools Credit Regulations</i>
I-2.01 Reg 2	<i>The Farm and Small Business Capital Gains Credit Regulations</i>
I-2.01 Reg 3	<i>The Income Tax Indexation Regulations</i>

Under *The Interjurisdictional Support Orders Act/Loi sur les ordonnances alimentaires interterritoriales*, c.I-10.03/ch.I-10,03

I-10.03 Reg 1	<i>The Interjurisdictional Support Orders Regulations/Règlement sur les ordonnances alimentaires interterritoriales</i>
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Under *The Interprovincial Lotteries Act, 1984*, c.I-12

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Under *The Irrigation Act, 1996*, c.I-14.1

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J

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L-4.1 Reg 1 *The Land Surveys Regulations, 2001*

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Under *The Names of Homes Act*, c.N-1

N-1 Reg 1 *The Names of Homes Regulations*

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The Labour Standards Regulations, 1995

being

Chapter L-1 Reg 5 (effective February 3, 1995) as amended by Saskatchewan Regulations 8/97, 68/2002, 134/2005, 4/2007, 40/2007, 48/2007, 119/2007 and 44/2009.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER L-1 REG 5
The Labour Standards Act

TITLE AND INTERPRETATION

Title

- 1** These regulations may be cited as *The Labour Standards Regulations, 1995*.

Interpretation

- 2(1)** In these regulations:

- (a) **“Act”** means *The Labour Standards Act*;
- (b) **“approved home”** means an approved home within the meaning of *The Mental Health Services Act* and the regulations made pursuant to that Act or a private-service home certified or licensed pursuant to *The Residential Services Act* and the regulations made pursuant to that Act;
- (b.1) **“care provider”** means an employee who provides services in the private residence of the employer or a private residence of a member of the employer's immediate family that relate to the provision of care and supervision of a person who is a member of the immediate family of the employer;
- (c) **“city”** means a city within the meaning of *The Urban Municipality Act, 1984*, and includes the City of Lloydminster;
- (c.1) **“commercial hog operation”** means any undertaking:
 - (i) that is engaged in the breeding, farrowing, weaning or finishing of porcine animals; and
 - (ii) that employs six or more full-time-equivalent employees calculated in accordance with subsection 24(3) or (4);
- (d) **“domestic worker”** means an employee who provides services in the private residence of the employer that relate to the management and operation of that residence;
- (d.1) **“finishing”** means bringing the animal to market weight in preparation for slaughter but does not include the slaughter of the animal;
- (e) **“full-time employee”** means an employee who regularly works full-time hours;

(f) **“full-time hours”**, with respect to a place of employment, means the greater of:

- (i) the hours established by the employer for that place of employment; or
- (ii) 30 hours per week;

(f.1) **“immediate family”** means:

- (i) a spouse of an employer;
- (ii) a parent, grandparent, child, brother or sister of an employer; or
- (iii) a parent, grandparent, child, brother or sister of the spouse of an employer;

(f.2) **“live-in care provider”** means a care provider who resides in the private residence in which he or she provides the services described in clause (b.1);

(f.3) **“live-in domestic worker”** means a domestic worker who resides in the private residence in which he or she provides the services described in clause (d);

(g) **“minimum wage”** means the hourly minimum wage fixed pursuant to subsection 15(4) of the Act;

(h) **“oil truck driver”** means an employee who is employed principally in delivering gasoline, lubricating oils and other petroleum products by truck from a refinery, bulk filling station or other similar premises to farms, garages or automobile service stations, but does not include an employee who regularly travels in the course of his or her duties to two or more cities, towns or villages that are at least 20 kilometres apart;

(i) **“public holiday”** means a public holiday as defined in section 38 of the Act, and includes any other day agreed to be observed or directed to be observed as a public holiday pursuant to section 40 of the Act;

(j) **“residential-service facility”** means a residential-service facility certified or licensed pursuant to *The Residential Services Act* and the regulations made pursuant to that Act;

(k) **“rural municipality”** means a rural municipality within the meaning of *The Rural Municipality Act, 1989*;

(l) **“sitter”** means a person who is employed:

- (i) on a temporary basis in a private residence solely to provide care and supervision for a person who is incapable of living independently; or
- (ii) on a temporary basis not exceeding 21 days in a year to relieve the proprietor of an approved home and whose wages are subsidized in whole or in part;

but does not include a person who is employed and working as:

- (iii) a nurse;
- (iv) a therapist;
- (v) a care provider;

- (vi) an employee of a day care facility; or
- (vii) an employee of a business or a district health board that is engaged in providing a service described in this clause;
- (m) **"spouse"** means:
 - (i) the wife or husband of a person; or
 - (ii) a person with whom that person cohabits and has cohabited as spouses:
 - (A) continuously for a period of not less than two years; or
 - (B) in a relationship of some permanence, if they are the parents of a child;
- (n) **"town"** means a town within the meaning of *The Urban Municipality Act, 1984* or *The Northern Municipalities Act*;
- (o) **"village"** means a village or resort village within the meaning of *The Urban Municipality Act, 1984* or a northern village within the meaning of *The Northern Municipalities Act*.
- (2) For the purposes of subsection 33(4) of the Act, **"monetary loss"** means the amount of any non-refundable deposit, penalty or other pre-paid expense that is directly related to an employee's cancelled holiday and that the employee can verify as having been paid.
- (3) For the purposes of section 43 of the Act, **"period of employment"** means any period of employment that is not interrupted by more than 14 consecutive days.
- (4) For the purposes of subsection 48(1.2) of the Act, **"regularly informed"** means provided with a written statement at regular intervals of 13 weeks or less and, if terminated, within 14 days after termination.

10 Feb 95 cL-1 Reg 5 s2; 7 Feb 97 SR 8/97 s3;
19 Jly 2002 SR 68/2002 s3.

Exemption from Act

- 3(1) **Repealed.** 7 Feb 97 SR 8/97 s4.
- (2) The Act does not apply to:
 - (a) employees in an undertaking in which only members of the employer's immediate family are employed; or
 - (b) sitters.
- (3) Except for sections 48 to 90 of the Act, the Act does not apply to employees who are commercial fishers or commercial trappers, as defined in *The Fuel Tax Regulations, 2000*.

10 Feb 95 cL-1 Reg 5 s3; 7 Feb 97 SR 8/97 s4;
25 May 2007 SR 40/2007 s3.

APPLICATION AND OPERATION OF PART I OF ACT – HOURS OF WORK

Exemption from Part I of Act

4 Part I of the Act does not apply to employees to whom *The Fire Departments Platoon Act* applies.

10 Feb 95 cL-1 Reg 5 s4.

Exemption from section 6 of Act – city newspapers

5(1) Subject to subsections (2) and (3), section 6 of the Act does not apply to persons employed as editorial writers, reporters or advertising salespersons by the publisher of a newspaper located in a city.

(2) No employer shall require or permit an employee described in subsection (1) to work or to be at the disposal of the employer for more than 80 hours in any two consecutive weeks unless the employee is paid wages at the rate of time and one-half for each hour or part of an hour in excess of 80 hours in those two consecutive weeks.

(3) In calculating the number of hours worked in a period of two consecutive weeks during which a public holiday occurs:

(a) the 80-hour standard in each two-week period mentioned in subsection (2) is reduced by eight hours with respect to each public holiday that occurs in the period; and

(b) no account is to be taken of any time the employee is required to work or to be at the disposal of the employer on a public holiday.

10 Feb 95 cL-1 Reg 5 s5.

Exemption from sections 6 and 12 of Act – commercial hog operation workers

5.1(1) Subsections 6(1) to (3) and section 12 of the Act do not apply to employees employed in commercial hog operations.

(2) No employer shall require or permit an employee described in subsection (1) to work or to be at the disposal of the employer for more than 10 hours in any day or 80 hours in any two consecutive weeks unless the employee is paid wages at the rate of time and one-half for each hour or part of an hour in excess of 10 hours in any day or 80 hours in those two consecutive weeks.

(3) In calculating the number of hours worked in a period of two consecutive weeks during which a public holiday occurs:

(a) the 80-hour standard in each two-week period mentioned in subsection (2) is reduced by eight hours with respect to each public holiday that occurs in the period; and

(b) no account is to be taken of any time in which the employee is required to work or to be at the disposal of the employer on a public holiday.

19 Jly 2002 SR 68/2002 s4.

Exemption from section 6 of Act – oil truck drivers

6(1) Subject to subsections (2) to (8), section 6 of the Act does not apply to persons employed as oil truck drivers.

(2) Subject to subsection (8), the employer of an oil truck driver shall show in the records kept pursuant to section 70 of the Act the number of hours, during which the oil truck driver is required or permitted to work or to be at the disposal of the employer, that are in excess of 40 hours in any week and, for the purposes of this section, all of those hours shall accumulate to the credit of the oil truck driver unless they are cancelled in accordance with subsection (3).

(3) Where an oil truck driver is required or permitted to work or to be at the disposal of the employer for less than 40 hours in any week, each hour by which the number of hours during which the oil truck driver is required or permitted to work or to be at the disposal of the employer in that week is less than 40 hours cancels one hour that has already accumulated or may in future accumulate to the credit of the oil truck driver.

(4) On July 1 in each year, the employer of an oil truck driver shall:

(a) determine the number of hours that, as of that date, have accumulated to the credit of the oil truck driver during the previous 12 months and have not been cancelled; and

(b) within 14 days after that date, pay to the oil truck driver wages at the rate of time and one-half for every hour or part of an hour determined pursuant to clause (a).

(5) On payment pursuant to clause (4)(b), the hours determined pursuant to clause (4)(a) are cancelled.

(6) Where the employment of an oil truck driver is terminated by the employer, the employer shall pay to the oil truck driver, in addition to all other amounts due to the oil truck driver, wages at the rate of time and one-half for each hour or part of an hour that, as of the date of the termination of employment, has accumulated to the credit of the oil truck driver and has not been cancelled.

(7) No employer of an oil truck driver shall, with respect to any week in which the employer requires or permits the oil truck driver to work or to be at the disposal of the employer for less than 40 hours, reduce the wages paid to the oil truck driver below the wages paid with respect to any week in which the employer requires or permits the oil truck driver to work or to be at the employer's disposal for 40 hours or more.

(8) In calculating the number of hours worked in a week in which a public holiday occurs:

(a) the 40-hour standard in a week mentioned in subsection (2) is to be reduced by eight hours with respect to each public holiday that occurs in the week; and

(b) no account is to be taken of any time the oil truck driver is required to work or to be at the disposal of the employer on a public holiday.

Exemption from sections 6 and 12 of Act**7 Repealed.** 25 May 2007 SR 40/2007 s4.

- (2) Sections 6 and 12 of the Act do not apply to the following employees:
- (a) employees who are professional practitioners registered or licensed in accordance with any Act or who, while learning their profession, are interns, students-at-law, students in accountancy or other trainees or students;
 - (b) employees of a rural municipality who are engaged solely in the occupation of road construction or maintenance or any occupation in connection with the servicing or repair of road construction or maintenance equipment done on the job, except employees who are engaged in any occupation in connection with the storage, servicing or repair of road construction or maintenance equipment that is done in the warehouse or repair shop of the rural municipality;
 - (c) employees who:
 - (i) are employed as salespersons;
 - (ii) travel regularly in the course of their duties to two or more cities, towns or villages that are at least 20 kilometres apart; and
 - (iii) receive all of their remuneration as commissions with respect to sales of goods or services or offers to purchase that usually are made at a place other than the employer's establishment;
 - (d) **Repealed.** 25 May 2007 SR 40/2007 s4.
 - (e) employees in the logging industry, including cooks, cookees, bull cooks and watchmen, but not including any occupation carried on in an office, saw mill or planing mill;
 - (f) employees who are care providers, other than live-in care providers;
 - (g) employees who are employed by outfitters, as defined in *The Outfitter and Guide Regulations, 2004*, who are primarily engaged in outfitting;
 - (h) employees who are primarily engaged in mineral exploration in that part of Saskatchewan north of Township 62, but not including any occupation carried on in an office.
- (3) Section 6 of the Act does not apply to persons employed as salesmen as defined in *The Motor Dealers Act*.

10 Feb 95 cL-1 Reg 5 s7; 7 Feb 97 SR 8/97 s5;
25 May 2007 SR 40/2007 s4.

Exemption from sections 6, 12, 13.2 and 15 of Act – residential-service facility workers

8(1) In this section, “operator” means an operator, as defined in *The Residential-service Facilities Regulations*, who is designated by the employer for the purposes of this section.

(2) Sections 6, 12 and 13.2 of the Act do not apply to an operator of a residential service facility.

(3) Clauses 15(4)(a) and (b) of the Act do not apply to an operator of a residential-service facility during the period commencing on the day this section comes into force and ending on March 31, 1995.

(4) During the period mentioned in subsection (3), the operator of the residential-service facility mentioned in that subsection is entitled to receive a wage for each day’s work in the residential-service facility in an amount that is not less than 22 times the minimum wage.

(5) This section applies to only one person employed at a residential-service facility in any one day.

10 Feb 95 cL-1 Reg 5 s8.

9 Repealed. 1 May 2009 SR 44/2009 s2.**Hourly wage**

10(1) Subject to subsections (2) to (4), for the purposes of subsection 6(5) of the Act, where an employee is paid his or her wages on a basis other than an hourly, daily, weekly or monthly basis, the hourly wage of the employee is the amount obtained by dividing the wages of the employee earned during the week, exclusive of overtime, annual holiday pay and public holiday pay, by the lesser of:

(a) 40; and

(b) the actual number of hours worked during the week, exclusive of overtime.

(2) In no case shall an hourly wage be determined to be greater than five times the minimum wage or less than the minimum wage.

(3) Where an employee is paid wages on the basis of distance travelled, the employee’s hourly wage for the purposes of subsection 6(5) of the Act is deemed to be the product of 64 and the rate per kilometre.

(4) The hourly wage for employees who are employed as salespersons and who receive all of their remuneration as commissions is the minimum wage.

10 Feb 95 cL-1 Reg 5 s10.

Exemption from section 13 of Act

11(1) In this section, “**retail trade**” means the selling or offering for sale to the general public of consumer products for personal, family or household use or consumption.

(2) Section 13 of the Act does not apply to any employee engaged in the control or suppression of prairie and forest fires.

(3) Subject to subsection (4), subsection 13(2) of the Act does not apply to any employer other than an employer primarily engaged in retail trade.

(4) Subsection 13(2) of the Act does not apply to any employer primarily engaged in retail trade:

(a) whose establishment is subject to a municipal bylaw requiring the establishment to be closed during the whole or part of any day of the week other than Saturday, Sunday or Monday; or

(b) who, pursuant to section 7 or 9 of the Act, is exempted from the application of section 6 of the Act.

10 Feb 95 cL-1 Reg 5 s11.

Period of rest - live-in care providers and live-in domestic workers

12(1) Section 13 of the Act does not apply to:

(a) live-in care providers; or

(b) live-in domestic workers.

(2) An employer of an employee who is a live-in care provider or a live-in domestic worker shall grant to the employee a rest period of two consecutive days in every seven days, at a time that is mutually acceptable to the employer and the employee.

7 Feb 97 SR 8/97 s6.

APPLICATION AND OPERATION OF PART II OF ACT – MINIMUM WAGES**Exemption from Part II of Act**

13(1) Part II of the Act does not apply to employees who have a physical or mental disability or impairment and who work for a non-profit organization or institution in programs that are educational, therapeutic or rehabilitative.

(2) Subject to subsection (3), Part II of the Act does not apply to:

(a) care providers; or

(b) live-in domestic workers.

(3) The minimum wage established pursuant to Part II of the Act applies for the first eight hours worked in one day by a live-in care provider or a live-in domestic worker.

10 Feb 95 cL-1 Reg 5 s13; 7 Feb 97 SR 8/97 s7.

Cash value of board and lodging

14 Where the cash value of board and lodging received by a live-in care provider or live-in domestic worker from the employer of the live-in care provider or live-in domestic worker has not been determined by the Minimum Wage Board, the charge for room and board that an employer may make is not to exceed \$250 per month.

10 Feb 95 cL-1 Reg 5 s14; 7 Feb 97 SR 8/97 s8.

**APPLICATION AND OPERATION OF PARTS IV AND IV.1 OF ACT –
MATERNITY LEAVE, PARENTAL LEAVE AND ADOPTION LEAVE****Benefits while on maternity, parental or adoption leave**

15(1) For the purposes of subsections 26(3), 29.1(4) and 29.2(4) of the Act, the following are benefit plans that an employee is entitled to continue participating in while taking maternity, parental or adoption leave:

- (a) a medical plan;
- (b) a dental plan;
- (c) a disability or life insurance plan;
- (d) a registered retirement savings plan;
- (e) a pension plan;
- (f) an accidental death or dismemberment plan;
- (g) any plan similar to one described in clauses (a) to (f).

(2) For the purposes of subsections 26(3), 29.1(4) and 29.2(4) of the Act, “**contributions required by the plan**”, with respect to a pension plan, means the cost of benefits of the plan to the persons required to contribute to the plan that are accrued while taking maternity, parental or adoption leave.

10 Feb 95 cL-1 Reg 5 s15.

APPLICATION AND OPERATION OF PART V OF ACT – ANNUAL HOLIDAYS**Uniform entitlement date**

16 In order to bring the annual holiday entitlement date of a new employee in line with a uniform annual holiday entitlement date for other employees, an employer may, by agreement with any employee who has been in the employ of the employer for a period of less than one year, grant to that employee an annual holiday amounting to one and one-quarter working days for each month during which the employee has been in the employ of the employer, if:

- (a) the employer pays to the employee with respect to that annual holiday the employee's annual holiday pay for the months with respect to which that annual holiday is granted; and
- (b) the employer permits the employee to take that annual holiday in one continuous period.

10 Feb 95 cL-1 Reg 5 s16.

APPLICATION AND OPERATION OF PART VI OF ACT – PUBLIC HOLIDAYS

Application of section 41 of Act

17 Pursuant to section 41 of the Act, the minimum sum of money to be paid for public holidays for the classes of employees described in sections 18 to 20 of these regulations is to be determined in the manner prescribed in those sections.

10 Feb 95 cL-1 Reg 5 s17.

Construction

18(1) For the purposes of this section, “**construction**” means:

- (a) the construction, reconstruction, remodelling, repair, renovating, decoration or demolition of any building;
- (b) the construction, reconstruction or repair of:
 - (i) any sewer, drain or gas work;
 - (ii) any electrical, plumbing or heating undertaking;
 - (iii) any road or highway or part of a road or highway; or
 - (iv) any other work of construction;

and includes services and undertakings that are incidental to the activities described in clauses (a) and (b).

(2) Subject to any agreement made pursuant to subsection (5), the minimum sum of money to be paid for public holidays by an employer to an hourly-paid employee employed in the construction industry who:

- (a) does not work on a public holiday is 4% of the wages, exclusive of overtime and annual holiday pay, earned by the employee in each calendar year;
- (b) works on a public holiday is the amount calculated in accordance with clause (a), plus an additional amount equal to one and one-half times the regular rate of wages of the employee for each hour or part of an hour that the employee works or for which the employee is required to be at the disposal of the employer on the public holiday.

(3) The employer shall pay the amount mentioned in clause (2)(a) to the employee on or before the earlier of:

- (a) December 31 in the calendar year in which the public holiday occurs; and
- (b) if the employee is terminated, 14 days after the day on which the termination of employment takes effect.

(4) The employer shall pay the additional amount mentioned in clause (2)(b) to the employee in the pay period in which it is earned.

(5) Where, in the construction industry, a majority of the employees in an appropriate unit of employees of an employer are represented by a trade union for the purposes of bargaining collectively, the employer and the trade union may agree in writing to be governed by section 39 of the Act with respect to the calculation of minimum sums of money to be paid to an employee for a public holiday.

Employees operating well drilling rigs

19 The minimum sum of money to be paid for a public holiday by an employer to an employee who is engaged in the operation of a well drilling rig is:

- (a) if the employee does not work on the public holiday, the amount to which the employee would be entitled pursuant to subsection 39(1) of the Act if the employee did not work on that day; and
- (b) if the employee works on the public holiday, the total of the amount to which the employee would be entitled pursuant to subsection 39(1) of the Act if the employee did not work on that day and the employee's regular wages for the time worked.

10 Feb 95 cL-1 Reg 5 s19.

Employees in a hospital, educational institution, nursing home, hotel or restaurant

20(1) Subject to subsection (2), full-time employees employed in a hospital, educational institution, nursing home, hotel or restaurant must be paid for a public holiday in accordance with section 39 of the Act.

(2) Where a public holiday falls on the regular day of work of an employee to whom subsection (1) applies and the employee works on that day, the employee is entitled:

- (a) to be paid at the rate of one and one-half times the employee's regular rate of wages in addition to his or her regular wages; or
- (b) to be paid at the rate of one and one-half times the employee's regular rate of wages and, in addition, to be granted one working day off at the employee's regular wage within a four-week period during which the public holiday occurs.

10 Feb 95 cL-1 Reg 5 s20.

Employees in commercial hog operations

20.1(1) Subject to subsection (2), employees employed in a commercial hog operation must be paid for a public holiday in accordance with section 39 of the Act.

(2) If a public holiday falls on the regular day of work of an employee to whom subsection (1) applies and the employee works on that day, the employee is entitled:

- (a) to elect by written request to receive another day as a holiday designated by the employer within one year of the public holiday; and
- (b) notwithstanding subsection 39(1) of the Act, to be paid regular wages for the public holiday on which the employee works and for the designated day on which the employee does not work.

19 Jly 2002 SR 68/2002 s5.

Public holidays falling on Sunday

21(1) For the purposes of Part VI of the Act, where New Year's Day, Christmas Day or Remembrance Day falls on a Sunday, the Monday following that day is to be observed as a public holiday.

(2) Subsection (1) does not apply to an establishment that is normally open on a Sunday.

10 Feb 95 cL-1 Reg 5 s21.

Exemption from sections 43 and 44 of Act - care-providers

21.1 Sections 43 and 44 of the Act do not apply to employees who are care providers, other than live-in care providers.

7 Feb 97 SR 8/97 s9.

**APPLICATION AND OPERATION OF
PART VII OF ACT – EMPLOYEES' WAGES**

Notice – group terminations

22(1) For the purposes of clause 44.1(2)(b) of the Act, an employer shall give written notice of:

- (a) four weeks, if the number of employees terminated is 10 or more but less than 50;
- (b) eight weeks, if the number of employees terminated is 50 or more but less than 100;
- (c) 12 weeks, if the number of employees terminated is 100 or more.

(2) An employer is exempted from giving any written notice pursuant to section 44.1 of the Act to the Minister, any trade union and the employees, if the employees:

- (a) are employed pursuant to an arrangement by which the employer may request the employee to come to work at any time for a temporary period and by which the employee has the option to accept or reject one or more of the requests;
- (b) are employed for a definite term;
- (c) are employed for a specific project to be completed within a period not exceeding 12 months;
- (d) are offered and have refused reasonable alternative work or employment by the employer;
- (e) are terminated because of a seasonal reduction of the employer's operations, suspension of those operations or closure of those operations where that reduction, suspension or closure is normal for that employer;
- (f) are laid off for a period not exceeding 26 weeks;
- (g) have reached the age of retirement that is the established age of retirement for that employer and whose employment has been terminated for that reason; or
- (h) are employed pursuant to a contract of employment that is impossible to perform due to an unforeseeable event or circumstance.

(3) An employer is exempted from giving any written notice pursuant to section 44.1 of the Act to employees where:

- (a) the employer has applied in writing to the director; and
- (b) the director is satisfied that giving written notice would be prejudicial to the employer and the employees.

(4) The Government of Saskatchewan is exempted from giving any written notice pursuant to section 44.1 of the Act with respect to employees who are not within the scope of a collective bargaining agreement and are terminated within 30 days after polling day for a general election within the meaning of *The Election Act, 1996*.

10 Feb 95 cL-1 Reg 5 s22; 16 Nov 2007 SR 119/
2007 s2.

Interpretation of section 45.1 of Act and sections 24 to 26

23(1) In section 45.1 of the Act and in sections 24 to 26 of these regulations, "**benefit**" means:

(a) the following insurance plans in which the employer pays all or part of the contributions on behalf of the employee:

- (i) a dental plan;
 - (ii) a group life plan;
 - (iii) an accidental death and dismemberment plan;
 - (iv) a plan for employee and dependant coverage for prescription drugs;
- or

(b) a plan that provides coverage similar to a plan described in clause (a), but that is self-funded by the employer.

(2) In sections 24 to 26 of these regulations, "**full-time student**" means a person who is registered for at least 60% of a full course load as:

- (a) a pupil within the meaning of *The Education Act*; or
- (b) a student at a university, a regional college, private vocational school or the Saskatchewan Institute of Applied Science and Technology.

10 Feb 95 cL-1 Reg 5 s23.

Exemption re number of employees

24(1) In this section, "**all employees**", with respect to an employer, includes all employees employed at all establishments of the employer.

(2) Section 45.1 of the Act does not apply to an employer with less than 10 full-time-equivalent employees or to the employees of those employers.

(3) Subject to subsection (4), for the purposes of subsection (2) and clause 2(1)(c.1), the number of full-time-equivalent employees is to be calculated in accordance with the following formula:

$$\text{FTE} = \frac{H}{2,080}$$

where:

FTE is the number of full-time-equivalent employees; and

H is the sum of the total number of hours worked by all employees in the previous year and the number of paid hours associated with annual holidays and public holidays in the previous year.

(4) For the purposes of subsection (2) and clause 2(1)(c.1), where an employer's business has been in existence for more than 13 weeks but less than one full year, the number of full-time-equivalent employees is to be calculated in accordance with the following formula:

$$\text{FTE} = \frac{\text{H}}{40 \times \text{W}}$$

where:

FTE is the number of full-time-equivalent employees;

H is sum of the total number of hours worked by all employees from the date of the commencement of the employer's business and the number of paid hours associated with annual holidays and public holidays from the date of commencement of the employer's business; and

W is the total number of weeks from the date of the commencement of the employer's business.

10 Feb 95 cL-1 Reg 5 s24; 19 Jly 2002 SR 68/
2002 s6.

Eligible employees

25(1) In this section and in section 26:

- (a) **"eligible employee"** means an employee who is not a full-time employee and who is eligible for benefits pursuant to section 45.1 of the Act and those provisions of these regulations made for the purposes of section 45.1 of the Act;
- (b) **"qualifying period"** means the period commencing on the employee's date of hire and ending on the completion of 26 weeks after the date of hire.
- (2) Subject to subsection (5), for the purposes of section 45.1 of the Act, an employee becomes an eligible employee when the employee has been continuously employed by the employer for the qualifying period and has worked at least 390 hours in the qualifying period.
- (3) After an employee has been employed by the employer for one year, the employee's eligibility for benefits is to be determined pursuant to subsection (4).
- (4) An employee described in subsection (3) is an eligible employee if the employee is currently employed by the employer and the employee:
 - (a) subject to clause (b), worked a minimum of 780 hours in the previous year; or
 - (b) if the employee has taken a leave pursuant to the Act in the previous year, would have worked 780 hours in the previous year.
- (5) An employee who is a full-time student is not an eligible employee.

(6) If an employee ceases to be a full-time student, the employee shall provide his or her employer with written notice, as soon as possible after ceasing to be a full-time student, of the employee's change of status.

(7) Where a plan has its own qualifying period before an employee is eligible to receive benefits, the plan's qualifying period must be applied to the employee beginning on the employee's date of hire, and the employee becomes eligible to receive benefits as soon as the employee satisfies the requirements of subsection (2) or (4) and the plan's qualifying period.

(8) At the end of each year, the employer shall, as soon as possible, provide an employee with written notice if the employee has lost his or her eligibility, pursuant to this section, for benefits pursuant to section 45.1 of the Act.

10 Feb 95 cL-1 Reg 5 s25.

Employees' entitlements

26(1) Where an employer provides benefits to full-time employees who perform services that are entirely of a managerial character, the employer shall provide eligible employees who perform services that are entirely of a managerial character with benefits in accordance with section 45.1 of the Act and these regulations.

(2) Where an employer provides benefits to full-time employees who do not perform services that are entirely of a managerial character, the employer shall provide eligible employees who do not perform services that are entirely of a managerial character with benefits in accordance with section 45.1 of the Act and these regulations.

(3) Subject to subsections (4) to (7):

(a) eligible employees described in subsection (1) are entitled to substantially the same rights and privileges as are full-time employees described in subsection (1) under the benefit plans that are provided to those full-time employees; and

(b) eligible employees described in subsection (2) are entitled to substantially the same rights and privileges as are full-time employees described in subsection (2) under the benefit plans that are provided to those full-time employees.

(4) Subject to subsection (5), in the absence of any benefit formula calculation that exists on the coming into force of these regulations, an eligible employee is entitled to:

(a) 50% of the level of benefits provided to full-time employees where the eligible employee works, on average, 15 or more hours but less than 30 hours per week; and

(b) 100% of the level of benefits provided to full-time employees where the eligible employee works, on average, 30 hours or more per week.

(5) Where a group life plan or accidental death and dismemberment plan provides for a benefit formula based on the employee's earnings, the level of benefit provided to eligible employees is to be calculated in the same manner as the level of benefit for full-time employees.

(6) Where an employer is required by section 45.1 of the Act and these regulations to provide to eligible employees:

(a) a dental plan, the employer will satisfy the requirements of section 45.1 of the Act and these regulations respecting that dental plan if the employer provides a dental plan for eligible employees, but not necessarily their spouses or dependants, containing the following basic services at the level of benefits determined in accordance with subsection (4):

- (i) routine dental examinations at least once every 12 months;
- (ii) full mouth X-rays at least once every 24 months;
- (iii) fillings;
- (iv) extractions;
- (v) oral surgery;
- (vi) cleaning and scaling, to a maximum of eight units per year;
- (vii) space maintainers and relining dentures;
- (viii) repair of dentures;

(b) a prescription drug plan, the employer will satisfy the requirements of section 45.1 of the Act and these regulations respecting that prescription drug plan if the employer provides a prescription drug plan for eligible employees and their spouses and dependants that reimburses for the cost of drugs listed in the Saskatchewan Drug Formulary or equivalents of those drugs at the level of benefits determined in accordance with subsection (4);

(c) a group life plan or accidental death and dismemberment plan, the employer will satisfy the requirements of section 45.1 of the Act and these regulations respecting that plan if the employer provides a plan that covers eligible employees, but not necessarily their spouses or dependants, at the level of benefits determined in accordance with subsection (4) or (5).

(7) Where a benefit plan requires contributions to be made by eligible employees, those contributions must:

- (a) be paid in the same manner as payments are required to be paid by full time employees;
- (b) be in an amount that is in the same proportion to the contributions of full-time employees as the level of benefits to be provided to eligible employees bears to the level of benefits provided to full-time employees; and
- (c) be shared between the employer and eligible employees in the same proportion that contributions are shared between the employer and full-time employees.

Exemption from subsection 48(1) of Act

27 Subsection 48(1) of the Act does not apply to:

- (a) a person who became an employer on or after March 1, 1961, with respect to any employee engaged at a salary expressed as a rate for each period of a month or more of employment, if the employer, not less frequently than once each month during the period of employment, pays to the employee the entire amount of wages to which the employee is entitled up to a day not more than six days before the day of payment; or
- (b) an employee of an employer mentioned in clause (a) who is engaged and paid in the manner specified in that clause.

10 Feb 95 cL-1 Reg 5 s27.

Requirements for written statements of holiday pay

28 For the purposes of clause 48(1.1)(b) of the Act, the written statement must be readily detachable from or separate from the employee's pay cheque or any other form of pay voucher issued in payment of wages.

10 Feb 95 cL-1 Reg 5 s28.

APPLICATION AND OPERATION OF PART VIII OF ACT – ADMINISTRATION

Amount of deposit

29 For the purposes of subsection 62(3) of the Act, the amount of deposit required:

- (a) for clause (a) is the amount set out in the wage assessment to a maximum of \$500; and
- (b) for clause (b) is \$500.

16 Dec 2005 SR 134/2005 s2.

Fees on wage assessments

30(1) For the purposes of section 68.1 of the Act, the fee payable is 10% of the amount of the wage assessment with a minimum fee of \$100 and a maximum fee of \$500.

(2) The fee prescribed by section 68.1 of the Act is payable on the date that:

- (a) the time for an appeal has passed, if there is no appeal respecting the wage assessment; or
- (b) the wage assessment is upheld on appeal.

10 Feb 95 cL-1 Reg 5 s30.

Interest rate

31 The rate of interest published pursuant to section 4 of *The Pre-judgment Interest Act* is prescribed as the rate of interest to be used for the purposes of subsection 62.2(2) of the Act.

10 Feb 95 cL-1 Reg 5 s31.

School boards

32 In relation to teachers as defined in section 2 of *The Education Act*, clauses 70(1)(e), (f), (j), (k) and (l) of the Act do not apply to boards of education or conseils scolaires.

10 Feb 95 cL-1 Reg 5 s32.

Employee living accommodation

33 Where an employer provides living accommodation for an employee, the employer shall not compel or require the employee to live in or reside in that accommodation if the employee considers the accommodation to be unsuitable, unsafe or unsanitary, unless the director has approved the accommodation as being satisfactory for the purpose.

10 Feb 95 cL-1 Reg 5 s33.

Service on director, registrar of appeals

34(1) For the purposes of section 83.1 of the Act, a document or notice may be served on the director or the registrar of appeals:

- (a) by personal service during normal business hours at the business address of the director or the registrar of appeals;
- (b) by pre-paid registered or certified mail addressed to the director or the registrar of appeals at the business address of the director or the registrar of appeals; or
- (c) by telephone transmission of a facsimile of the document or notice together with a cover page that indicates:
 - (i) the title of the person being served;
 - (ii) the name, address and telephone number of the sender;
 - (iii) the date and time of the transmission;
 - (iv) the number of pages transmitted, including the cover page;
 - (v) the telephone number from which the document is transmitted; and
 - (vi) the name and telephone number of a person to contact if there are transmission problems.

(2) Where a document or notice is served pursuant to clause (1)(b), service is deemed to have been effected:

- (a) on the delivery date shown on the signed post office receipt card; or
- (b) where the delivery date is not shown, on the day on which the signed post office receipt card is returned to the sender.

10 Feb 95 cL-1 Reg 5 s34.

APPLICATION OF PART IX OF ACT RE RESERVISTS

Unpaid leave of absence for reservists

34.1(1) For the purposes of subsection 80.1(2) of the Act, the deadline is:

- (a) a date that is not less than six weeks before the date that the intended unpaid leave of absence will begin; or
- (b) any period before the unpaid leave of absence begins that is reasonable in the circumstances if:
 - (i) an official with the reserve force informs the employee that the employee is required for service because of an emergency; and
 - (ii) the employee advises his or her employer that the employee has been informed by an official with the reserve force that the employee is required for service because of an emergency.

(2) For the purposes of subsection 80.1(3) of the Act, the deadline is:

- (a) in the case of training, a date that is before the unpaid leave of absence begins;
- (b) in the case of regular deployment, a date that is not less than six weeks before the date that the employee intends to return to work; or
- (c) in the case of service that is required because of an emergency, any period before the employee returns to work that is reasonable in the circumstances.

22 Jne 2007 SR 48/2007 s2.

TRANSITIONAL, REPEAL AND COMING INTO FORCE

Transitional – temporary exemption from certain provisions

35(1) Notwithstanding any other provision of these regulations but subject to subsection (2), employees and employers are exempt from the application of section 45.1 of the Act and sections 23 to 26 of these regulations from the date these regulations come into force until August 1, 1995.

(2) Notwithstanding any other provision of these regulations, employees who are represented by a trade union for the purposes of bargaining collectively and employers of those employees are exempt from the application of section 45.1 of the Act and sections 23 to 26 of these regulations from the date these regulations come into force until the earlier of:

- (a) the date the collective agreement expires; and
- (b) February 1, 1996.

10 Feb 95 cL-1 Reg 5 s35.

Sask. Reg. 317/77 repealed

36 The Labour Standards Regulations, being Saskatchewan Regulations 317/77, are repealed.

10 Feb 95 cL-1 Reg 5 s36.

Coming into force

37(1) Subject to subsection (2), these regulations come into force on the day on which section 45 of *The Labour Standards Amendment Act, 1994* comes into force.

(2) If these regulations are filed with the Registrar of Regulations after the day on which section 45 of *The Labour Standards Amendment Act, 1994* comes into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

10 Feb 95 cL-1 Reg 5 s37.

The Milk Control Regulations

being

Chapter M-15 Reg 1 (effective January 1, 1985) as amended by Saskatchewan Regulations 14/85, 70/85, 94/85, 108/85, 51/86, 86/86, 87/86, 65/87, 19/88, 84/88, 117/88, 27/89, 53/89, 58/89, 62/90, 74/90, 6/91, 70/91, 1/92, 15/92, 38/92, 96/92, 1/93, 11/93, 58/93, 60/93, 61/93, 12/94, 17/94, 61/94, 62/94, 64/94, 65/94, 89/94, 33/95, 56/95, 58/95, 74/95, an Errata Notice (Gazetted December 31, 1992), 3/96, 27/96, 28/96, 52/96, 61/96, 63/96, 65/96, 72/96, 81/96, 89/96, 1/97, 2/97, 7/97, 11/97, 15/97, 19/97, 30/97, 31/97, 45/97, 68/97, 82/97, 89/97, 98/97, 104/97, 1/98, 4/98, 21/98, 24/98, 36/98, 42/98, 43/98, 47/98, 64/98, 65/98, 75/98, 79/98, 86/98, 94/98, 10/1999, 12/1999, 16/1999, 25/1999, 33/1999, 59/1999, 61/1999, 65/1999, 66/1999, 70/1999, 80/1999, 90/1999, 95/1999, 3/2000, 9/2000, 21/2000, 30/2000, 31/2000, 38/2000, 57/2000, 65/2000, 75/2000, 84/2000, 94/2000, 105/2000, 1/2001, 6/2001, 10/2001, 20/2001, 25/2001, 30/2001, 48/2001, 57/2001, 64/2001, 69/2001, 72/2001, 86/2001, 105/2001, 2/2002, 15/2002, 25/2002, 35/2002, 40/2002, 51/2002, 71/2002, 74/2002, 89/2002, 95/2002, 103/2002, 116/2002, 1/2003, 11/2003, 14/2003, 29/2003, 44/2003, 61/2003, 81/2003, 86/2003, 95/2003, 119/2003, 122/2003, 125/2003, 1/2004, 6/2004, 10/2004, 16/2004, 31/2004, 43/2004, 70/2004, 71/2004, 87/2004, 96/2004, 110/2004, 131/2004, 3/2005, 15/2005, 23/2005, 34/2005, 48/2005, 63/2005, 79/2005, 83/2005, 101/2005, 114/2005, 126/2005, 148/2005, 2/2006, 9/2006, 25/2006, 35/2006, 46/2006, 60/2006, 75/2006, 81/2006, 90/2006, 103/2006, 108/2006, 119/2006, 1/2007, 7/2007, 13/2007, 20/2007, 37/2007, 44/2007, 64/2007, 75/2007, 96/2007, 118/2007, 123/2007, 126/2007, 2/2008, 9/2008, 21/2008, 28/2008, 34/2008, 52/2008, 60/2008, 73/2008, 83/2008, 103/2008, 115/2008, 137/2008, 7/2009, 15/2009, 25/2009 and 41/2009 and 51/2009.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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Act of God

44 A failure of the board, the agent or a distributor to carry out a provision of these regulations as a result in whole or in part of an act of God, adverse weather, fire, strike, lock-out, invasion or order of a civil or military authority, is deemed not to be a contravention of these regulations.

28 Dec 84 cM-15 Reg 1 s44.

Repeal

45 Saskatchewan Regulations 301/74, 302/74, 247/80, 162/81 and 163/81 are repealed.

28 Dec 84 cM-15 Reg 1 s45.

Appendix**PART I
Designated Areas**

Repealed. 31 Jly 98 SR 64/98 s10.

**PART II
Prices****Interpretation****2** In this Appendix:

(a) **“class 1a milk”** means milk and specialty milk in its liquid form and includes whole milk, 2% milk, 1% milk, skim milk, modified enriched milk, kosher milk, all types of U.H.T. milk, buttermilk, 80% eggnog, cordials, acidophilus milk, kefir, 90% chocolate milk, flavoured drink and condensed milk to be reconstituted as fluid milk;

(b) **“class 1b milk”** means cream in liquid form and includes whipping cream, 18% cream, 10% cream and all types of U.H.T. cream;

(b.1) **Repealed.** 3 Nov 2000 SR 84/2000 s2.

(c) **“class 1c milk”** means new fluid milk products for retail and food service as approved by the provincial authorities;

(d) **“class 2 milk”** means milk used in the manufacture of sour cream, yogurt, cultured products, ice cream, frozen yogurt or other frozen products, meal replacement beverages, soup bases, puddings, whipped milk or infant formulas;

(e) **“class 3a milk”** means milk used in the manufacture of cottage cheese, mozzarella cheese, fresh curd or any other cheese that, in the opinion of the board, is a specialty cheese;

(f) **"class 3b milk"** means milk used in the manufacture of cheddar cheese, light cheddar cheese, kosher cheddar cheese, stirred curd, cream cheese, creamy cheese bases or cheese mixes;

(g) **"class 4a milk"** means milk used in the manufacture of all types of butter, all types of milk powder, casein, caseinate, condensed milk as an ingredient in the food industry, butteroil and any other milk products not mentioned in this section except new products mentioned in paragraph (j)(i)(B);

(g.1) in the case of class 4a(i) milk:

- (i) \$7.5339 per kilogram of butterfat;
- (ii) \$2.20 per kilogram of protein;
- (iii) \$2.20 per kilogram of other solids;

(h) **"class 4b milk"** means milk used in the manufacture of condensed milk and sweetened condensed milk for retail sale;

(i) **"class 4c milk"** means milk used in the manufacture of products that are classified by the board as new to the Saskatchewan market;

(j) **"class 4d milk"** means milk:

- (i) that is used:
 - (A) in the manufacture of processed animal feed; or
 - (B) in a new product that has not yet been classified by the board; or
- (ii) that is involved in inventory, plant losses or fluid returns;

(j.1) **"4d(i) milk"** means milk used for inventory adjustments for interprovincial milk movement purposes;

(j.2) **"4m milk"** means milk used for sleeve production, structural surplus and over quota production within the meaning of the Comprehensive Milk Marketing Plan issued by the commission pursuant to the *Canadian Dairy Commission Act*;

(k) **"class 5a milk"** means milk used for further processing of cheese products pursuant to a Special Class permit;

(l) **"class 5b milk"** means milk used for furthering processing of non-cheese products pursuant to a Special Class permit;

(m) in the case of class 5a milk:

- (i) \$3.2513 per kilogram of butterfat;
- (ii) \$5.6124 per kilogram of protein;
- (iii) \$0.0001 per kilogram of other solids;

- (n) in the case of class 5b milk:
 - (i) \$3.2513 per kilogram of butterfat;
 - (ii) \$1.7410 per kilogram of protein;
 - (iii) \$1.7410 per kilogram of other solids;
- (o) in the case of class 5c milk:
 - (i) \$3.0000 per kilogram of butterfat;
 - (ii) \$1.6375 per kilogram of protein;
 - (iii) \$1.6375 per kilogram of other solids
- (p) **“Special Class permit”** means a Special Class permit issued by the commission pursuant to the *Canadian Dairy Commission Act*.

9 Aug 96 SR 61/96 s11; 9 Apr 99 SR 16/1999 s2;
 3 Sep 99 SR 65/1999 s2; 25 Aug 2000 SR 65/
 2000 s9; 3 Nov 2000 SR 84/2000 s2; 7 Dec 2001
 SR 86/2001 s2; 23 Aug 2002 SR 71/2002 s5; 31
 Oct 2003 SR 119/2003 s2; 4 Mar 2005 SR 15/
 2005 s2; 1 Apr 2005 SR 23/2005 s2; 21 Dec 2007
 SR 126/2007 s6; 29 May 2009 SR 51/2009 s2.

Distributor and producer prices

3(1) A distributor shall pay the following prices to the board or the agent respecting milk delivered in Saskatchewan:

- (a) in the case of class 1a milk:
 - (i) \$5.30 per kilogram of butterfat;
 - (ii) \$68.10 per hectolitre of skim milk;
- (b) in the case of class 1b milk:
 - (i) \$5.30 per kilogram of butterfat;
 - (ii) \$68.10 per hectolitre of skim milk;
- (c) in the case of class 1c milk, the price as stated on a contract-by-contract basis in accordance with the Western Milk Pool Innovation Program and as approved by the board;
- (d) in the case of class 2 milk:
 - (i) \$7.5339 per kilogram of butterfat;
 - (ii) \$5.6447 per kilogram of protein;
 - (iii) \$5.6447 per kilogram of other solids;
- (e) in the case of class 3a milk:
 - (i) \$7.5339 per kilogram of butterfat;
 - (ii) \$13.1864 per kilogram of protein;
 - (iii) \$0.8940 per kilogram of other solids;

- (f) in the case of class 3b milk:
 - (i) \$7.5339 per kilogram of butterfat;
 - (ii) \$12.9337 per kilogram of protein;
 - (iii) \$0.8780 per kilogram of other solids;
- (g) in the case of class 4a milk:
 - (i) \$7.5339 per kilogram of butterfat;
 - (ii) \$5.2463 per kilogram of protein;
 - (iii) \$5.2463 per kilogram of other solids;
- (g.1) in the case of class 4a(i) milk:
 - (i) \$7.5339 per kilogram of butterfat;
 - (ii) \$2.6000 per kilogram of protein;
 - (iii) \$2.6000 per kilogram of other solids;
- (h) in the case of class 4b milk:
 - (i) \$7.5339 per kilogram of butterfat;
 - (ii) \$5.2463 per kilogram of protein;
 - (iii) \$5.2463 per kilogram of other solids;
- (i) in the case of class 4c milk, the price as stated on a contract-by-contract basis in accordance with the Western Milk Pool Innovation Program and as approved by the board;
- (j) in the case of class 4d milk:
 - (i) \$7.5339 per kilogram of butterfat;
 - (ii) \$5.2463 per kilogram of protein;
 - (iii) \$5.2463 per kilogram of other solids;
- (k) in the case of class 4d(i) milk:
 - (i) \$7.5339 per kilogram of butterfat;
 - (ii) \$5.2463 per kilogram of protein;
 - (iii) \$5.2463 per kilogram of other solids;

- (l) in the case of class 4m milk:
 - (i) \$0.00 per kilogram of butterfat;
 - (ii) \$0.00 per kilogram of protein; and
 - (iii) \$0.00 per kilogram of other solids;
- (m) in the case of class 5a milk:
 - (i) \$3.2328 per kilogram of butterfat;
 - (ii) \$5.7899 per kilogram of protein;
 - (iii) \$0.0001 per kilogram of other solids;
- (n) in the case of class 5b milk:
 - (i) \$3.2328 per kilogram of butterfat;
 - (ii) \$1.7910 per kilogram of protein;
 - (iii) \$1.7910 per kilogram of other solids;
- (o) in the case of class 5c milk:
 - (i) \$3.0000 per kilogram of butterfat;
 - (ii) \$1.6981 per kilogram of protein;
 - (iii) \$1.6981 per kilogram of other solids;
- (p) in the case of class 5d milk, the price stated on a contract-by-contract basis as determined by the commission.

(1.01) **Repealed.** 3 Nov 2000 SR 84/2000 s2.

(2) **Repealed.** 4 Jne 2004 SR 31/2004 s2.

(3) Subject to subsection (3.1), the price per hectolitre of milk, or per kilogram of butterfat, protein or other solids, to be paid from the pool by the board or the agent to a producer is the price to be paid by the distributor, as set out in subsection (1).

(3.1) The price to be paid from the pool by the board or the agent for milk described in subsection (1) or is the price to be paid by the distributor as set out in that subsection.

(4) to (6) **Repealed.** 3 Sep 99 SR 65/1999 s2.

13 Jan 89 SR 117/89 s4; 6 Aug 93 SR 58/93 s2; 27 Aug 93 SR 60/93 s2; 24 Sep 93 SR 61/93 s2; 19 Aug 94 SR 65/94 s2; 6 Jan 95 SR 89/94 s2; 25 Aug 95 SR 58/95 s2; 22 Dec 95 SR 74/95 s2; 16 Feb 96 SR 3/96 s2; 31 May 96 SR 27/96 s2; 7 Jun 96 SR 28/96 s2; 12 Jly 96 SR 52/96 s2; 9 Aug 96 SR 61/96 s11; 23 Aug 96 SR 63/96 s2; 6 Sep 96 SR 65/96 s2; 1 Nov 96 SR 81/96 s2; 24 Jan 97 SR 1/97 s2; 31 Jan 97 SR 7/97 s2; 7 Mar 97 SR 11/97 s2; 27 Mar 97 SR 15/97 s2; 2 May 97 SR 19/97 s2; 30 May 97 SR 30/97 s2; 4 Jly 97 SR 45/97; 25 Jly 97 SR 68/97 s2; 5 Sep 97 SR 82/97 s2; 26 Sep 97 SR 89/97 s2; 31 Oct 97 SR 98/97 s2; 12 Dec 97 SR 104/97 s2; 16 Jan 98 SR 1/98 s2; 13 Feb 98 SR 4/98 s2; 6 Mar 98 SR 21/98 s2; 27 Mar 98 SR 24/98 s2; 8 May 98 SR 36/98 s4; 5 Jun 98 SR 42/98 s5; 5 Jun 98 SR 43/98 s2; 3 Jly 98 SR 47/98 s2; 31 Jly 98 SR 64/98 s10; 4 Sep 98 SR 65/98 s2; 2 Oct 98 SR 75/98 s2; 23 Oct 98 SR 79/98 s2; 18 Dec 98 SR 86/98 s2; 8 Jan 99 SR 94/98 s2; 5 Feb 99 SR 10/1999 s2; 12 Mar 99 SR 12/1999 s2; 9 Apr 99 SR 16/1999 s2; 7 May 99 SR 25/1999 s2; 4 Jun 99 SR 33/1999 s2; 16 Jly 99 SR 59/1999 s2; 13 Aug 99 SR 61/1999 s2; 3 Sep 99 SR 65/1999 s2; and SR 66/1999 s2; 1 Oct 99 SR 70/1999 s2; 5 Nov 99 SR 80/1999 s2; 3 Dec 99 SR 90/1999 s2; 31 Dec 99 SR 95/1999 s2; 28 Jan 2000 SR 3/2000 s2; 3 Mar 2000 SR 9/2000 s2; 20 Apr 2000 SR 21/2000 s2; 12 May 2000 SR 30/2000 s2; 9 Jun 2000 SR 31/2000 s2; 30 Jun 2000 SR 38/2000 s2; 4 Aug 2000 SR 57/2000 s2; 25 Aug 2000 SR 65/2000 s9; 13 Oct 2000 SR 75/2000 s2; 3 Nov 2000 SR 84/2000 s2; 1 Dec 2000 SR 94/2000 s2; 5 Jan 2001 SR 105/2000 s2; 26 Jan 2001 SR 1/2001 s2; 9 Feb 2001 SR 6/2001 s2; 2 Mar 2001 SR 10/2001 s2; 6 Apr 2001 SR 20/2001 s2; 27 Apr 2001 SR 25/2001 s2; 1 Jun 2001 SR 30/2001 s2; 13 Jly 2001 SR 46/2001 s4; 10 Aug 2001 SR 57/2001 s2; 24 Aug 2001 SR 64/2001 s2; 28 Sep 2001 SR 69/2001 s2; 26 Oct 2001 SR 72/2001 s2; 7 Dec 2001 SR 86/2001 s2; 4 Jan 2002 SR 105/2001 s2; 25 Jan 2002 SR 2/2002 s2; 22 Feb 2002 SR 15/2002 s2; 22 Mar 2002 SR 25/2002 s2; 26 Apr 2002 SR 35/2002 s4; 24 May 2002 SR 40/2002 s4; 28 Jun 2002 SR 51/2002 s2; 23 Aug 2002 SR 71/2002 s5; 30 Aug 2002 SR 74/2002 s5; 27 Sep 2002 SR 89/2002 s2; 1 Nov 2002 SR 95/2002 s2; 22 Nov 2002 SR 103/2002 s2; 27 Dec 2002 SR 116/2002 s2; 31 Jan 2003 SR 1/2003 s8; 28 Feb 2003 SR 11/2003 s2; 28 Mar 2003 SR 14/2003 s2; 2 May 2003 SR 29/2003 s2; 30 May 2003 SR 44/2003 s2; 11 Jly 2003 SR 61/2003 s2; 8 Aug 2003 SR 81/2003 s4; 5 Sep 2003 SR 86/2003 s2; 26 Sep 2003 SR 95/2003 s2; 31 Oct 2003 SR 119/2003 s2; 28 Nov 2003 SR 122/2003 s2; 2 Jan 2004 SR 125/2003 s2; 30 Jan 2004 SR 1/2004 s2; 27 Feb 2004 SR 6/2004 s2; 26 Mar 2004 SR 10/2004 s2; 30 Apr 2004 SR 16/2004 s2; 4 Jne 2004 SR 31/2004 s2; 25 Jne 2004 SR 43/2004 s2; 6 Aug 2004 SR 70/2004 s9; 27 Aug 2004 SR 71/2004 s2; 1 Oct 2004 SR 87/2004 s2; 22 Oct 2004 SR 96/2004 s2; 26 Nov 2004 SR 110/2004 s2; 31 Dec 2004 SR 131/2004 s2; 4 Feb 2005 SR 3/2005 s4; 4 Mar 2005 SR 15/2005 s2; 1 Apr 2005 SR 23/2005 s2; 29 Apr 2005 SR 34/2005 s2; 3 Jne 2005 SR 48/2005 s2; 30 Jne 2005 SR 63/2005 s2; 5 Aug 2005 SR 79/2005 s2; 2 Sep 2005 SR 83/2005 s2; 23 Sep 2005 SR 101/2005 s2; 4 Nov 2005 SR 114/2005 s2; 2 Dec 2005 SR 126/2005 s2; 6 Jan 2006 SR 146/2005 s2; 27 Jan 2006 SR 2/2006 s2; 24 Feb 2006 SR 9/2006 s2; 31 Mar 2006 SR 25/2006 s2; 28 Apr 2006 SR 35/2006 s2; 2 Jne 2006 SR 46/2006 s2; 23 Jne 2006 SR 60/2006 s2; 28 Jly 2006 SR 75/2006 s2; 1 Sep 2006 SR 81/2006 s4; 29 Sep 2006 SR 90/2006 s2; 3 Nov 2006 SR 103/2006 s2; 24 Nov 2006 SR 108/2006 s5; 5 Jan 2007 SR 119/2006 s2; 26 Jan 2007 SR 1/2007 s2; 23 Feb 2007 SR 7/2007 s2; 23 Mar 2007 SR 13/2007 s2; 20 Apr 2007 SR 23/2007 s2; 25 May 2007 SR 37/2007 s2; 22 Jne 2007 SR 44/2007 s2; 27 Jly 2007 SR 64/2007 s4; 7 Sep 2007 SR 75/2007 s2; 28 Sep 2007 SR 96/2007 s2; 2 Nov 2007 SR 118/2007 s2; 7 Dec 2007 SR 123/2007 s2; 21 Dec 2007 SR 126/2007 s6; 25 Jan 2008 SR 2/2008 s2; 7 Mar 2008 SR 9/2008 s2; 11 Apr 2008 SR 21/2008 s4; 2 May 2008 SR 28/2008 s2; 30 May 2008 SR 34/2008 s2; 27 Jne 2008 SR 52/2008 s2; 25 Jly 2008 SR 60/2008 s2; 29 Aug 2008 SR 73/2008 s2; 26 Sep 2008 SR 83/2008 s2; 7 Nov 2008 SR 103/2008 s2; 21 Nov SR 115/2008 s2; 2 Jan 2009 SR 137/2008 s2; 23 Jan 2009 SR 7/2009; 6 Mar 2009 SR 15/2009 s2; 3 Mar 2009 SR 25/2009 s2; 1 May 2009 SR 41/2009 s2; 29 May 2009 SR 51/2009 s2.

4 Repealed. 31 Jly 98 SR 64/98 s10.**5 Repealed.** 31 Jly 98 SR 64/98 s10.

TABLE 1

Repealed. 31 Jly 98 SR 64/98 s10.

TABLE 2

Repealed. 31 Jly 98 SR 64/98 s10.

TABLE 3

Repealed. 31 Jly 98 SR 64/98 s10.

TABLE 4

Repealed. 31 Jly 98 SR 64/98 s10.

PART III

Forms

FORM A

[Section 8.8]

Joint Application for Approval to Grant Security Interest in QuotaPRODUCER

I apply to the Saskatchewan Milk Control Board for approval to grant a security interest in:

- _____ kilograms of the total production quota allotted to me
- _____ all of the total production quota allotted to me
- _____ all of the present and future acquired total production quota allotted to me

and if approval is given, I:

- (a) authorize the Board to release to the secured party any information concerning the quota held by me;
- (b) will not request the Board to sell the quota covered by this application on the quota exchange without the written consent of all parties having a security interest in the quota;
- (c) will not request the Board to transfer the quota covered by this application without the written consent of all parties having a security interest in the quota;
- (d) state that I have already granted a security interest in the quota to the following:

<u>Secured Party</u>	<u>Kilograms</u>	<u>Date Granted</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

and

- (e) release and indemnify the Board, its officers and employees, with respect to anything done or omitted to be done by them respecting this notice.

C.D.C. REGISTRATION # _____ PRODUCER I.D. # _____
(milk producer)

ENTERPRISE NAME: _____

SIGNATURE: _____

TELEPHONE: _____ BARN LAND LOCATION: SW SE NW NE

ADDRESS: _____

RECEIVING PLANT: _____ R.M. # _____

LOCATION: _____ POSTAL CODE _____

AMOUNT OF TOTAL PRODUCTION QUOTA HELD _____ KILOGRAMS
(see reverse)

SECURED PARTY

SECURED PARTY'S NAME: _____

apply to the Saskatchewan Milk Control Board for approval to obtain a security interest in quota, as described in this application, and, if approved:

- (a) agree to comply with *The Milk Control Act, 1992* and the regulations, as amended from time to time, and the terms and conditions of any approval given to the producer to grant a security interest in quota;
- (b) agree to notify the Board when the security in the quota is released;
- (c) will not assign the security interest in the producer's quota to any other person;
- (d) agree that, on seizure of the quota, we will only have the same rights and obligations as the producer had pursuant to *The Milk Control Act, 1992* and the regulations; and
- (e) release the Board, its officers and employees, with respect to anything done or omitted to be done by them respecting this application and the producer's quota.

SECURED PARTY: _____

PER: _____

ADDRESS: _____ TELEPHONE: # _____

POSTAL CODE: _____

APPROVED BY: _____

SASKATCHEWAN MILK CONTROL BOARD
 #620 - 2045 Broad Street
 REGINA, Saskatchewan S4P 1Y4
 Telephone: 787-5319

APPROVED ON: _____

22 Jly 94 SR 61/94 s4; 31 Jly 98 SR 64/98 s10; 2
 Sep 2005 SR 83/2005 s2.

The Municipalities Regulations

being

Chapter M-36.1 Reg 1 (effective January 1, 2006) as amended by Saskatchewan Regulations 87/2006, 97/2007, 111/2007, 1/2008, 6/2008, 132/2008 and 39/2009.

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- 70 R.R.S. c.R-26 Reg 1 repealed
- 71 R.R.S. c.R-26 Reg 3 repealed
- 72 R.R.S. c.R-26.1 Reg 1 repealed
- 73 R.R.S. c.R-26.1 Reg 3 repealed
- 74 R.R.S. c.R-26.1 Reg 4 repealed
- 75 R.R.S. c.R-26.1 Reg 5 repealed
- 76 R.R.S. c.R-26.1 Reg 6 repealed
- 77 R.R.S. c.R-26.1 Reg 7 repealed
- 78 R.R.S. c.R-26.1 Reg 8 repealed
- 79 R.R.S. c.R-26.1 Reg 10 repealed
- 80 R.R.S. c.R-26.1 Reg 12 repealed
- 81 R.R.S. c.U-11 Reg 2 repealed
- 82 R.R.S. c.U-11 Reg 5 repealed
- 83 R.R.S. c.U-11 Reg 6 repealed
- 84 R.R.S. c.U-11 Reg 7 repealed
- 85 R.R.S. c.U-11 Reg 8 repealed
- 86 R.R.S. c.U-11 Reg 14 repealed

**PART XII
Coming into Force**

- 87 Coming into force

Appendix

PART I

Forms

- Form A Oath – member of council
- Form B Oath – member or secretary of board of revision
- Form C Sign to be Displayed by Owner of
Dangerous Animal
- Form D Petition for Organized Hamlet, Resort Village
or Village
- Form E Application for Establishment, Incorporation
or Restructuring
- Form F Notice of Appeal to the Board of Revision
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Municipal Board
- Form H Annual Statement of Account of School
Taxes for the Year_____
- Form H.1 Interim Statement of Account for the Period
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- Form H.2 Monthly Statement of Account of School Taxes

PART II

Tables

- Table 1 Fees for drilling oil wells and gas wells
- Table 2 Calculation of Amounts of Land Exempt
from Taxation

2009-2

CHAPTER M-36.1 REG 1

The Municipalities Act

PART I

Introductory Matters

Title

- 1 These regulations may be cited as *The Municipalities Regulations*.

Interpretation

- 2 In these regulations:

- (a) “**Act**” means *The Municipalities Act*;
- (b) “**Form**” means a form set out in Part I of the Appendix;
- (c) “**Table**” means a table set out in Part II of the Appendix.

16 Dec 2005 cM-36.1 Reg 1 s2.

Oath – member of council

- 3 Form A is the form prescribed for the official oath to be taken by a member of council pursuant to section 94 of the Act.

16 Dec 2005 cM-36.1 Reg 1 s3.

Oath – member or secretary of board of revision

- 4 Form B is the form prescribed for the official oath to be taken by a member of a board of revision and the secretary of a board of revision pursuant to subsection 220(5) of the Act.

16 Dec 2005 cM-36.1 Reg 1 s4.

Emergency closure of streets and roads

- 5 The notice and consent requirements set out in subsection 14(2) of the Act respecting the temporary closure of a provincial highway or of certain streets or roads do not apply in the case of an emergency in which there is a present or imminent event, situation or condition:

- (a) that requires immediate action or prompt co-ordination and regulation of action; and
- (b) for which the normal use of the provincial highway, street or road would:
 - (i) constitute a significant risk or danger to public safety;
 - (ii) result in damage to property; or
 - (iii) endanger or interfere with those responding to the emergency.

16 Dec 2005 cM-36.1 Reg 1 s5.

Villages and resort villages – prescribed minimum taxable assessment for incorporation

6 For the purpose of clause 51(2)(d) of the Act, the prescribed minimum taxable assessment is \$15 million.

16 Dec 2005 cM-36.1 Reg 1 s6; 2 Jan 2009 SR
132/2008 s3.

Direct appeals re commercial and industrial property

7 For the purpose of clause 244(1)(b) of the Act, the prescribed amount is \$1 million.

16 Dec 2005 cM-36.1 Reg 1 s7.

PART II

Licence fees

Drilling of oil wells and gas wells

8 The fees for the purpose of clause 9(3)(b) of the Act to be made applicable by councils to persons and partnerships engaged in the operation of oil well and gas well drilling businesses in municipalities are set out in Table 1.

22 Feb 2008 SR 6/2008 s2.

Gravel extraction

8.1(1) For the purposes of clause 9(2)(d) and subsection 9(3) of the Act, the maximum fee that a municipality may establish in a bylaw respecting the extraction of gravel from a gravel pit is the fee set out in this section.

(2) Subject to subsection (3), for the period commencing on the date that this section comes into force and ending on December 31, 2009, the maximum fee is as follows:

- (a) \$0.137 per cubic metre;
- (b) \$0.105 per cubic yard;
- (c) \$0.074 per tonne;
- (d) \$0.069 per ton.

(3) On or before January 1, 2010 and on or before every second January 1 following the January 1 for which the last adjustment pursuant to this section is effective, the amount of the maximum fee that a municipality may establish pursuant to this section for a licence to extract gravel is to be adjusted in accordance with subsection (4), and that adjusted maximum fee is to be used:

- (a) in the case of the adjustment made on or before January 1, 2010, during the period commencing on January 1, 2010 and ending on December 31, 2011; and
- (b) in the case of an adjustment made after January 1, 2010, during the period commencing on January 1 of the year for which the adjustment is being made and ending on December 31 of the year following the year for which the adjustment is being made.

- (4) For the purposes of subsection (3), the maximum fee is to be adjusted:
- (a) first, by determining an initial adjusted fee, which must be the amount IAF calculated in accordance with the following formula:

$$\text{IAF} = \text{OF} + (\text{OF} \times \text{CPI}_1)$$

where:

OF is the maximum fee as it is before the adjustment; and

CPI₁ is the annual percentage change for the "all-items" Consumer Price Index for Saskatchewan as published by Statistics Canada for the year that is three years before the first year for which the adjusted maximum fee is to be effective; and

- (b) second, by determining the adjusted fee to be used during the period for which the adjustment is being made, which must be the amount AF calculated in accordance with the following formula:

$$\text{AF} = \text{IAF} + (\text{IAF} \times \text{CPI}_2)$$

where:

IAF is the initial adjusted fee determined in accordance with clause (a); and

CPI₂ is the annual percentage change for the "all-items" Consumer Price Index for Saskatchewan as published by Statistics Canada for the year that is two years before the first year for which the adjusted maximum fee is to be effective.

- (5) Subject to subsections (6) to (8), the municipality may require the holder of a gravel extraction licence issued pursuant to section 9 of the Act to pay a pre-extraction fee equal to the product of:

- (a) the amount of gravel that the holder indicates in its application for a licence that it will extract on or before December 31 of the year for which the licence is issued; and
- (b) the fee established by the municipality for gravel extraction.

- (6) The maximum amount of gravel for which the holder of a gravel extraction licence can be required to pay a pre-extraction fee is 10,000 tonnes.

- (7) The maximum fee that can be used to calculate the pre-extraction fee is the maximum fee that a municipality may establish pursuant to this section.

- (8) If, in the year for which the licence is issued, the holder of a gravel extraction licence satisfies the municipality issuing the licence that the holder did not extract the full amount of gravel for which a pre-extraction fee was paid, the municipality shall refund an amount equal to the product of the amount of gravel not extracted and the rate used to calculate the pre-extraction fee.

PART III
Road Maintenance Agreements and Road Committees

Interpretation of Part**9** In this Part:

- (a) **"agreement"** means a road maintenance agreement that is described in section 22 of the Act between a hauler and a municipality;
- (b) **"bulk haul"** means the transportation of goods by or to a hauler;
- (c) **"hauler"** means a person described in clause 22(1)(b) of the Act who is required to enter into an agreement with a municipality pursuant to that section;
- (d) **"municipal road"** means a street or road as defined in the Act that is located in a municipality;
- (e) **"order"** means an order mentioned in clause 38(1)(f) of *The Highways and Transportation Act, 1997* that is issued by a road committee;
- (f) **"road committee"** means a committee established in accordance with section 81 of the Act for the purpose of issuing orders;
- (g) **"summer haul period"** means:
 - (i) the period agreed to by the parties to an agreement as the summer haul period; or
 - (ii) in the absence of a period agreed to pursuant to subclause (i), the period commencing on March 16 in one year and ending on November 14 of that year;
- (h) **"undeveloped road"** means a road allowance in a municipality that:
 - (i) has not been developed as a municipal road; or
 - (ii) is not being maintained for the movement of traffic;
- (i) **"winter haul period"** means:
 - (i) the period agreed to by the parties to an agreement as the winter haul period; or
 - (ii) in the absence of a period agreed to pursuant to subclause (i), the period commencing on November 15 in one year and ending on March 15 of the following year.

16 Dec 2005 cM-36.1 Reg 1 s9.

Roads to be specified in agreement

- 10** Every agreement must identify the municipal roads and the undeveloped roads to which the agreement applies.

16 Dec 2005 cM-36.1 Reg 1 s10.

Normal costs to be considered

- 11** The parties to an agreement must take into account the normal road maintenance and restoration expenses incurred or to be incurred by the municipality to provide road maintenance and restoration services to municipal roads during the period of the bulk hauls to be made by or to the hauler.

16 Dec 2005 cM-36.1 Reg 1 s11.

Maintenance and restoration of roads by hauler

12(1) Subject to subsections (2) and (3), every agreement must provide that the hauler shall:

- (a) provide for the maintenance and restoration of municipal roads to which the agreement applies; or
 - (b) pay to the municipality an amount for the cost of maintaining and restoring municipal roads to which the agreement applies that is:
 - (i) not more than:
 - (A) 1.57 cents per tonne or 2.79 cents per cubic metre, whichever is less, of load per kilometre hauled in the summer haul period; and
 - (B) 0.785 cents per tonne or 1.395 cents per cubic metre, whichever is less, of load per kilometre hauled in the winter haul period; and
 - (ii) not less than:
 - (A) \$60 per kilometre of municipal road used for bulk haul during the summer haul period; and
 - (B) \$30 per kilometre of municipal road used for bulk haul during the winter haul period.
- (2) The provision of any maintenance and restoration of municipal roads, or the payment to a municipality of an amount for the restoration or maintenance of municipal roads, pursuant to subsection (1) is to be only for maintenance and restoration that is:
- (a) in addition to the normal road maintenance and restoration that the municipality is required to provide to those roads; and
 - (b) required by reason of the bulk hauls to be made by or to the hauler.
- (3) A municipality may waive its right to the minimum amounts mentioned in subclause (1)(b)(ii).
- (4) Every agreement must provide that the hauler who is a party to the agreement shall provide:
- (a) any road maintenance that is required to the undeveloped roads to which the agreement applies for the bulk hauls to be made by or to the hauler; and
 - (b) the restoration that is required to the undeveloped roads to which the agreement applies by reason of the bulk hauls made by or to the hauler.

16 Dec 2005 cM-36.1 Reg 1 s12.

Payment for shortening of lifetime of municipal roads

- 13(1)** Every agreement must provide that the hauler shall pay to the municipality an amount as compensation for any shortening of the lifetime of the municipal roads to which the agreement applies that will be caused by the bulk hauls to be made by or to the hauler.
- (2) The maximum amount payable pursuant to subsection (1) is:
- (a) 1.34 cents per tonne or 2.39 cents per cubic metre, whichever is less, of load per kilometre hauled in the summer haul period; and
 - (b) 0.67 cents per tonne or 1.195 cents per cubic metre, whichever is less, of load per kilometre hauled in the winter haul period.

16 Dec 2005 cM-36.1 Reg 1 s13.

Public interest

14 Every agreement may contain conditions that regulate the bulk hauls to which the agreement relates for the purpose of protecting the public interest in the municipal roads and undeveloped roads to which the agreement applies.

16 Dec 2005 cM-36.1 Reg 1 s14.

Arbitration

15 Every agreement must provide for an arbitration process to be used in the event of a dispute between the parties.

16 Dec 2005 cM-36.1 Reg 1 s15.

Resolution to establish road committee

16 The resolution establishing a road committee may be passed at any regular or special meeting of the council.

16 Dec 2005 cM-36.1 Reg 1 s16.

Issuance of order

17 A road committee may issue an order only if, due to inclement weather or unfavourable road conditions, the use of the road in the manner prohibited by the order would, in the opinion of the road committee, reasonably be expected to result in:

- (a) damage to the road; or
- (b) a high risk of:
 - (i) property damage; or
 - (ii) personal injury to the public.

16 Dec 2005 cM-36.1 Reg 1 s17.

Requirements of order

18 Every order must:

- (a) be signed by the members of the road committee; and
- (b) state the date on which it is signed and the date on which it takes effect.

16 Dec 2005 cM-36.1 Reg 1 s18.

Duties of administrator re order

19 The road committee shall file every order with the administrator, and the administrator shall:

- (a) promptly notify the permit officer in the Department of Highways and Transportation of the issuance of or the cancellation of an order, as the case may be; and
- (b) present a copy of the order to the next meeting of the council, which presentation shall be recorded in the minutes of that meeting.

16 Dec 2005 cM-36.1 Reg 1 s19.

Notice of order

20 On the issuance of an order, the road committee shall cause a notice in accordance with section 21 to be posted conspicuously:

- (a) at each end of the road to which the order applies; and
- (b) at any junction or intersection of that road as the road committee considers advisable.

16 Dec 2005 cM-36.1 Reg 1 s20.

Requirements of notice

21 Every notice must:

- (a) clearly set out the restrictions specified in the order;
- (b) state the penalty for contravening the order;
- (c) be of reasonably durable material;
- (d) be at least 30 centimetres by 45 centimetres in size; and
- (e) be placed at least one metre above the ground.

16 Dec 2005 cM-36.1 Reg 1 s21.

Cancellation of order

22 (1) The road committee shall cancel an order when the road conditions, in the opinion of the road committee, will withstand the traffic otherwise restricted by the order.

(2) On the cancellation of an order, the road committee shall cause the notices posted in accordance with this Part to be removed.

16 Dec 2005 cM-36.1 Reg 1 s22.

PART IV Organized Hamlets

First meeting

23 If the minister has declared an organized hamlet to be established, the council of the municipality in which the organized hamlet is located shall appoint:

- (a) the time and date for the first meeting of the voters of the organized hamlet; and
- (b) a person to make the necessary arrangements for the meeting mentioned in clause (a).

16 Dec 2005 cM-36.1 Reg 1 s23.

Notice, etc., of first meeting

24 The person appointed pursuant to clause 23(b) shall:

- (a) advertise the first meeting in the manner directed by the council; and
- (b) preside at the first meeting until the voters present at the meeting elect a chairperson for the meeting.

16 Dec 2005 cM-36.1 Reg 1 s24.

Manner of voting

25 The voters of an organized hamlet shall vote at meetings by secret ballot, show of hands or standing vote, as the voters determine.

16 Dec 2005 cM-36.1 Reg 1 s25.

Annual meeting

26(1) The hamlet board shall annually hold a meeting of the voters of the organized hamlet.

(2) The annual meeting of the voters of an organized hamlet shall be held at the time and place determined by the voters of the organized hamlet at the previous annual meeting of those voters.

(3) If, at an annual meeting of the voters of an organized hamlet, the voters fail to determine the time and place of the next annual meeting, the next annual meeting of the voters of the organized hamlet shall be held at the time and place determined by the hamlet board.

(4) The hamlet board shall give at least seven clear days' notice of the time and place of the annual meeting of the voters by posting notices of the meeting in three separate conspicuous places in the organized hamlet.

16 Dec 2005 cM-36.1 Reg 1 s26.

Meetings

27 Subject to subsection 26(3), meetings of the voters of an organized hamlet shall be held at the times and places determined by the voters.

16 Dec 2005 cM-36.1 Reg 1 s27.

Officers and term of office

28 The members of a hamlet board shall:

- (a) hold office until their successors are elected; and
- (b) elect a chairperson and a secretary from among their number.

16 Dec 2005 cM-36.1 Reg 1 s28.

Duties of secretary

29 At the annual meeting of the voters of an organized hamlet, the secretary of the hamlet board shall prepare and submit to the voters a report of:

- (a) the hamlet board's activities carried out since the last report of the secretary; and
- (b) the business of any appeal board appointed pursuant to section 77 of the Act by the hamlet board and the council of the rural municipality in which the organized hamlet is located.

16 Dec 2005 cM-36.1 Reg 1 s29.

Minutes

30(1) Within 30 days after a meeting of the hamlet board, the secretary of the hamlet board shall transmit to the council of the rural municipality in which the organized hamlet is located a copy of the minutes of the meeting.

(2) The minutes of all meetings of a hamlet board shall be open to inspection at the annual meeting of the organized hamlet.

16 Dec 2005 cM-36.1 Reg 1 s30.

Vacancies

31 If a vacancy occurs in the membership of a hamlet board by reason of a member's death, resignation or otherwise, the hamlet board:

(a) may call a meeting of the voters of the organized hamlet for the purpose of filling the vacancy for the unexpired term of the person being replaced; and

(b) if a meeting is called pursuant to clause (a), shall advertise the public meeting in the manner provided in subsection 26(4).

16 Dec 2005 cM-36.1 Reg 1 s31.

Unexpended funds

32 Any unexpended portion of the tax revenues allocated to a hamlet board pursuant to clause 69(1)(b) of the Act shall be accumulated and reserved to the credit of the hamlet board.

16 Dec 2005 cM-36.1 Reg 1 s32.

Revenues of waterworks or sewage systems

33 If, on the request of a hamlet board, the council of the rural municipality in which the organized hamlet is located has provided for the installation of a waterworks system, sewage system or both in the organized hamlet:

(a) any revenue arising from the operation of the waterworks system or sewage system shall be used by the council of the rural municipality in payment for the maintenance and operating costs of the waterworks system or sewage system, including the payment of any instalments of principal and interest of debentures issued to provide funds for the construction of the system; and

(b) any deficiency in the revenue mentioned in clause (a) to meet the costs mentioned in that clause shall be charged against the allocation made by the council of the rural municipality to the organized hamlet pursuant to clause 69(1)(b) of the Act.

16 Dec 2005 cM-36.1 Reg 1 s33.

Report respecting funds

34 On or before January 20 of each year, the council of a rural municipality shall provide to the hamlet board of each organized hamlet located in the rural municipality a statement of:

(a) the amount of funds allocated to the hamlet board and the expenditures made from those funds during the previous year;

(b) the balance of the accumulated reserve standing to the credit of the hamlet board; and

- (c) the revenues and expenditures relating to the operation of any waterworks system or sewage system provided by or on behalf of the rural municipality to the organized hamlet.

16 Dec 2005 cM-36.1 Reg 1 s34.

Appeal board

35 No person who is a member of the hamlet board or who is a member of council for the rural municipality in which the organized hamlet is located shall be appointed to or sit as a member of the appeal board appointed pursuant to section 77 of the Act.

16 Dec 2005 cM-36.1 Reg 1 s35.

Duties of appeal board

36 If the council of a rural municipality or the hamlet board with which it has a dispute refers the dispute to the appeal board, the appeal board shall:

- (a) appoint a time and a place for hearing the dispute;
- (b) give at least seven days' notice to the council and the hamlet board of the time and place appointed pursuant to clause (a);
- (c) allow the council and the hamlet board to:
 - (i) present oral or written evidence;
 - (ii) cross-examine witnesses; and
 - (iii) rebut evidence submitted by the party adverse in interest;
- (d) render its decisions with respect to the dispute, in writing; and
- (e) apportion the costs of the hearing and the appeal board between the council and the hamlet board in any manner that the appeal board considers appropriate.

16 Dec 2005 cM-36.1 Reg 1 s36.

Decision binding

37 The decision of the appeal board is binding on the council of the rural municipality and the hamlet board.

16 Dec 2005 cM-36.1 Reg 1 s37.

Chairperson to forward decision

38 The chairperson of the appeal board shall cause a copy of the decision of the appeal board to be sent to:

- (a) the council of the rural municipality; and
- (b) the hamlet board.

16 Dec 2005 cM-36.1 Reg 1 s38.

PART V
Classification of Property

Classes of property

39 The following classes of property are established pursuant to clause 196(1)(a) of the Act:

- (a) Non-arable (Range) Land and Improvements, which includes only land and improvements, other than occupied dwellings:
 - (i) for which the predominant potential use is as range land or pasture land, determined as the best use that could reasonably be made of the majority of the surface area; or
 - (ii) the majority of the surface area of which is not developed for any use, has been left in or is being returned to its native state or cannot be used for agricultural purposes;
- (b) Other Agricultural Land and Improvements, which includes only land and improvements, other than occupied dwellings:
 - (i) for which the predominant potential use is cultivation, determined as the best use that could reasonably be made of the majority of the surface area;
 - (ii) used for dairy production, raising poultry or livestock, producing poultry or livestock products, bee-keeping, seed growing or growing plants in an artificial environment; or
 - (iii) used for other agricultural purposes, except for land and improvements classified as Non-arable (Range) Land and Improvements;
- (c) Residential, which, except for land and improvements classified as Multi-unit Residential or Seasonal Residential, includes only land and improvements used or intended to be used for, or in conjunction with, a residential purpose, including vacant land subdivided into lots for residential use, provided that where land is used as a yardsite in conjunction with a purpose mentioned in clause (a) or (b), three acres of that land is to be classified as Residential;
- (d) Multi-unit Residential, which includes only:
 - (i) land and improvements designed and used for or intended to be used for, or in conjunction with, a residential purpose and to accommodate four or more self-contained dwelling units within a parcel, or in the case of a condominium, any part of a parcel within the meaning of *The Condominium Property Act, 1993* that is used for a residential purpose; and
 - (ii) vacant land zoned for use for multiple dwelling units;
- (e) Seasonal Residential, which includes:
 - (i) only land and improvements:
 - (A) used or intended to be used for, or in conjunction with, both residential and recreational purposes;
 - (B) located in communities predominantly of a resort nature, in parks, or in rural areas;

- (C) normally used for a maximum of six months in any year, as determined by the assessor; and
- (D) not being the principal residence in Canada of the occupant; and
- (ii) land and improvements for seasonal camps;
- (f) Commercial and Industrial, which includes only land and improvements:
 - (i) used or intended to be used for business purposes, including land and improvements for office, wholesale, retail, service, hotel, motel, industrial and manufacturing activities and transportation, communications and utilities;
 - (ii) used or intended to be used for institutional, government, recreational or cultural purposes;
 - (iii) used or intended to be used for mines or petroleum oil wells and gas wells; or
 - (iv) not specifically included in another class of property;
- (g) Elevators, which includes only:
 - (i) land and improvements designed and used for receiving, processing and shipping grains, oilseeds and special forages, and licensed by the Canadian Grain Commission; and
 - (ii) land and improvements used in conjunction with the land and improvements described in subclause (i);
- (h) Railway Rights of Way and Pipeline, which includes only railway roadway, railway superstructure, and pipeline, and other land and improvements used in conjunction with a pipeline.

16 Dec 2005 cM-36.1 Reg 1 s39.

Percentages of value

40 In accordance with clause 196(1)(b) of the Act, the following percentages of value are applicable to the classes of property established pursuant to section 39:

- (a) Non-arable (Range) Land and Improvements - 40%;
- (b) Other Agricultural Land and Improvements - 55%;
- (c) Residential - 70%;
- (d) Multi-unit Residential - 70%;
- (e) Seasonal Residential - 70%;
- (f) Commercial and Industrial- 100%;
- (g) Elevators - 75%;
- (h) Railway Rights of Way and Pipeline - 75%.

16 Dec 2005 cM-36.1 Reg 1 s40.

Minimum tax and base tax

41 The following classes of assessment of property are established for the purposes of minimum tax pursuant to section 289 of the Act and base tax pursuant to section 290 of the Act:

- (a) Agricultural, which includes land and improvements classified as Non-arable (Range) Land and Improvements and Other Agricultural Land and Improvements pursuant to section 39;
- (b) Residential, which includes land and improvements classified as Residential, Multi-unit Residential and Seasonal Residential pursuant to section 39;
- (c) Commercial and Industrial, which includes land and improvements classified as Commercial and Industrial, Elevators, and Railway Rights of Way and Pipeline pursuant to section 39.

16 Dec 2005 cM-36.1 Reg 1 s41.

Mill rate factors

42(1) For the 2009 and 2010 taxation years, the following classes of assessment of property are prescribed for the purposes of mill rate factors pursuant to section 285 of the Act:

- (a) Agricultural, which includes the assessments of land and improvements classified as Non-arable (Range) Land and Improvements and Other Agricultural Land and Improvements pursuant to section 39;
- (b) Residential, which includes the assessments of land and improvements classified as Residential, Multi-unit Residential and Seasonal Residential pursuant to section 39;
- (c) Commercial and Industrial, which includes the assessments of land and improvements classified as Commercial and Industrial, Elevators, and Railway Rights of Way and Pipeline pursuant to section 39, but does not include the assessments of land and improvements classified as Hotels and Motels pursuant to clause (d);
- (d) Hotels and Motels, which includes the assessments of land and improvements of:
 - (i) Full Service Hotels, which includes only land or improvements used for or intended to be used for accommodations that are composed of multiple individual units that are typically rented, that include a structure of two or more floors with a lobby and that typically include meeting rooms, banquet rooms, dining rooms, restaurant facilities and lounge facilities;
 - (ii) Limited Service Hotels, which includes only land or improvements used for or intended to be used for accommodations that are composed of multiple individual units that are typically rented, that include a structure of two or more floors with a lobby and that typically include limited common area amenities, a restaurant and lounge facilities;
 - (iii) Gallonage Hotels, which includes only land or improvements used for or intended to be used for accommodations that are composed of individual units that may be rented, that include a structure of two or more floors and that have a primary source of income that is a restaurant facility, a lounge facility or one or more video lottery terminals;

(iv) Motels, which includes only land or improvements used for or intended to be used for accommodations that are composed of multiple individual units that are typically rented and that include a structure of three or fewer floors with a lobby or an office and interior hall access or separate exterior access to individual units.

(2) For the 2011 and subsequent taxation years, the following classes of assessment of property are prescribed for the purposes of mill rate factors pursuant to section 285 of the Act:

(a) Agricultural, which includes the assessments of land and improvements classified as Non-arable (Range) Land and Improvements and Other Agricultural Land and Improvements pursuant to section 39;

(b) Residential, which includes the assessments of land and improvements classified as Residential, Multi-unit Residential and Seasonal Residential pursuant to section 39;

(c) Commercial and Industrial, which includes the assessments of land and improvements classified as Commercial and Industrial, Elevators, and Railway Rights of Way and Pipeline pursuant to section 39.

24 Apr 2009 SR 39/2009 s2.

Multiple-use property

43(1) If one use of any property is clearly distinct from the property's predominant use and is not integrated with or directly related to the property's predominant use, the assessor may:

(a) determine that portions of the property that include more than one use, or portions of the property's assessment, belong to different classes established pursuant to this Part; and

(b) apportion the assessed value of the property among those classes.

(2) Pursuant to section 205 of the Act, if the assessor determines that portions of any property, or portions of the property's assessment, belong to different classes established pursuant to this Part, the property may be entered more than once in the assessment roll for the purpose of indicating the assessed value of each portion of the property within a class.

16 Dec 2005 cM-36.1 Reg 1 s43; 2 Jan 2009 SR 132/2008 s4.

Date of classification

44(1) Subject to subsection (2) and (3), in each year as of January 1, property, and the assessments of properties, are to be classified as belonging to the classes established pursuant to this Part.

(2) A new improvement or a newly subdivided parcel is to be classified as of the date that it is added to the assessment roll.

(3) If there is a change in the use of a property, the property is to be classified as of the date that the change is made to the assessment roll.

16 Dec 2005 cM-36.1 Reg 1 s44.

PART VI Tax Exemptions

Exemption from taxation

45(1) The following buildings are prescribed pursuant to paragraph 292(1)(c)(ii)(A) of the Act:

- (a) a building or part of a building used as a dormitory for students of an independent school;
- (b) any portion of a building used as a student dormitory that is occupied as a residence by a residential supervisor of that dormitory;
- (c) a building or part of a building used as a kitchen or dining room for students of an independent school;
- (d) a building or part of a building used primarily for the purpose of an independent school; and
- (e) a building or part of a building used for storage or maintenance purposes for an independent school.

(2) The following amounts are prescribed pursuant to paragraph 292(1)(c)(ii)(B) of the Act:

- (a) two square metres of land for every one square metre of occupied space of a building or part of a building that is exempted pursuant to clause (1)(a), (b) or (e);
- (b) two square metres of land for every one square metre of occupied space of a building or part of a building that is exempted pursuant to clause (1)(c) if that building or part of that building is used in connection with a building or part of a building mentioned in clause (1)(a) or (b);
- (c) with respect to a building or part of a building mentioned in clause (1)(d), the land used in connection with that building or part of that building in an amount calculated in accordance with Table 2.

(3) Notwithstanding subsection (2), if a municipality has a bylaw in effect that requires that more land than that calculated pursuant to clause (2)(a) or (b) be used in connection with the buildings or parts of buildings mentioned in that clause, the amount of land exempt from taxation is the amount of land required by the municipality's bylaw.

16 Dec 2005 cM-36.1 Reg 1 s45.

PART VII Tax Penalties and Discounts

Interpretation of Part

46 In this Part, “**due date**” means the date that:

- (a) is in the year in which a tax is imposed; and
- (b) is shown on the tax notice as the date by which the tax is to be paid.

25 Jan 2008 SR 1/2008 s2.

Penalty for year in which taxes are levied

46.1(1) In this section, "**unpaid tax**" means the amount of tax that remains unpaid:

- (a) after the due date; and
 - (b) as at the date that the penalty mentioned in this section is imposed.
- (2) This section applies only to municipalities that set a due date that is before December 1 of the year in which the tax is imposed.
- (3) For the purposes of section 279 of the Act, a municipality to which this section applies shall, by bylaw, impose a penalty on a taxpayer respecting unpaid taxes owed by the taxpayer in accordance with this section.
- (4) The municipality shall, by bylaw, impose a penalty on the first day of each month in which there are unpaid taxes that is equal to:
- (a) not less than 0.5% of the unpaid tax as at the first of the month in which the penalty must be imposed; and
 - (b) not more than 1.5% of the unpaid tax as at the first of the month in which the penalty must be imposed.
- (5) In its bylaw passed for the purposes of this section, the municipality shall set the same percentage for each month following the due date.

25 Jan 2008 SR 1/2008 s2.

Penalty in subsequent years

46.2(1) For the purpose of section 280 of the Act, a municipality shall impose, by bylaw, a penalty on a taxpayer respecting taxes that remain unpaid by the taxpayer as at January 1 of the year in which the penalty is to be imposed in accordance with:

- (a) subsection (2); or
 - (b) subsections (3) and (4).
- (2) If a municipality imposes a penalty as at January 1 of the year in which the penalty is to be imposed:
- (a) the minimum rate of penalty must be 9% of the taxes that remain unpaid by the taxpayer as at January 1 of the year in which the penalty is to be imposed; and
 - (b) the maximum rate of penalty must be 25% of the taxes that remain unpaid by the taxpayer as at January 1 of the year in which the penalty is to be imposed.
- (3) If a municipality imposes a penalty in each month of the year in which the penalty is to be imposed and:
- (a) the municipality imposes the penalty only on the amount of taxes that remains unpaid by the taxpayer as at January 1 and as at the first day of each subsequent month:
 - (i) the minimum rate of penalty must be 0.75% per month; and
 - (ii) the maximum rate of penalty must be 2.0833% per month; or

- (b) the municipality imposes the penalty on the amount of taxes and the amount of penalty that remain unpaid by the taxpayer as at January 1 and as at the first day of each subsequent month:
 - (i) the minimum rate of penalty must be 0.72% per month; and
 - (ii) the maximum rate of penalty must be 1.876% per month.
- (4) If a municipality imposes a penalty in each month, the municipality:
 - (a) shall charge at least the same rate of penalty for each subsequent month; and
 - (b) shall not reduce the rate of penalty for subsequent months.

25 Jan 2008 SR 1/2008 s2.

Maximum discount for prompt payment

47(1) For the purpose of subsection 272(1) of the Act, a council may allow a discount in any year for the prompt payment of:

- (a) the current year's taxes on property;
 - (b) special taxes; or
 - (c) local improvement special assessments.
- (2) If a council allows a discount for prompt payment pursuant to subsection (1):
- (a) for each of the taxes or special assessments mentioned in subsection (1), the maximum discount is 15% of the tax or special assessment for that year; and
 - (b) subject to subsection (2.1), the discount must be offered over the entire period from the date the tax notice is sent until the earliest of:
 - (i) a date determined by the council;
 - (ii) the due date; and
 - (iii) November 30 of the year in which the taxes and special assessments are levied.
- (2.1) If a council allows a discount for prompt payment pursuant to subsection (1):
- (a) the greatest percentage of the discount must be offered in the first month; and
 - (b) the percentage discount offered in subsequent months must be equal to or less than the percentage discount offered in the preceding month.
- (3) If a council allows any of the taxes or special assessments mentioned in subsection (1) to be paid in instalments, the maximum discount that the council may allow for payment in instalments is the maximum discount described in clause (2)(a).

25 Jan 2008 SR 1/2008 s2; 2 Jan 2009 SR 132/
2008 s5.

Maximum discount for prepayment

48(1) For the purpose of subsection 272(2) of the Act, a council may allow a discount in any year for the prepayment of:

- (a) the current year's taxes on property;
- (b) special taxes; or
- (c) local improvement special assessments.

(2) If a council allows a discount for prepayment pursuant to subsection (1), for each of the taxes or special assessments mentioned in subsection (1), the maximum discount is 15% of the tax or special assessment for that year.

(3) If a council allows a discount for prepayment pursuant to subsection (1) for more than one month:

- (a) the greatest percentage of the discount must be offered in the first month; and
- (b) the percentage discount offered in subsequent months must be equal to or less than the percentage discount offered in the first month.

25 Jan 2008 SR 1/2008 s2.

Maximum rebate for payment of penalties

49(1) For the purpose of subsection 272(3) of the Act, a council may allow incentives in any year for the payment of all or part of the penalties on:

- (a) property taxes; or
- (b) special taxes.

(2) If a council allows an incentive for payment of penalties pursuant to subsection (1):

- (a) the maximum incentive is 60% of the penalties as at January 1 of the year in which the incentive is to be applied; and
- (b) the incentive is to be decreased by 1/12th in each month subsequent to January in the year.

25 Jan 2008 SR 1/2008 s2.

PART VIII
Public Reporting on Municipal Waterworks

Interpretation of Part**50 In this Part:**

- (a) **“consumer”** means a consumer of water supplied by a municipality's municipal waterworks;
- (b) **“debt payments”** means a municipality's total annual payments of principal on all long-term debts that the municipality has incurred in relation to its municipal waterworks;
- (c) **“expenditures”** means a municipality's total annual expenditures in relation to its municipal waterworks, as included in its financial statements pursuant to section 185 of the Act;
- (d) **“human consumptive use”** means human consumptive use as defined in *The Water Regulations, 2002*;
- (e) **“hygienic use”** means hygienic use as defined in *The Water Regulations, 2002*;
- (f) **“municipal distribution system”** means a distribution system, as defined in *The Water Regulations, 2002*, that is:
 - (i) owned by a municipality, directly or through a controlled corporation; and
 - (ii) operated by a municipality, directly or through a controlled corporation, or by another person on behalf of a municipality;
- (g) **“municipal waterworks”** means waterworks that are:
 - (i) owned by a municipality, directly or through a controlled corporation; and
 - (ii) operated by a municipality, directly or through a controlled corporation, or by another person on behalf of a municipality;
- (h) **“reserves”** means the moneys that a municipality has set aside for capital infrastructure projects relating to its municipal waterworks;
- (i) **“revenues”** means a municipality's total annual revenues in relation to its municipal waterworks, as reported in its financial statements pursuant to section 185 of the Act;
- (j) **“waterworks”** means works that are used to supply, collect, treat, store or distribute water intended or used for a human consumptive use or a hygienic use, whether or not any other use is or has been made of that water.

Application of Part

51(1) This Part only applies to municipal waterworks:

- (a) that are connected to and part of a municipal distribution system;
 - (b) that are used to supply, collect, treat, store or distribute water intended or used for a human consumptive use; and
 - (c) for which an independent engineering assessment is required pursuant to section 35 of *The Water Regulations, 2002*.
- (2) This Part does not apply to municipal waterworks that are:
- (a) regulated pursuant to *The Health Hazard Regulations*; or
 - (b) used to supply water for a hygienic use, as authorized pursuant to *The Water Regulations, 2002*, but not for a human consumptive use.

16 Dec 2005 cM-36.1 Reg 1 s51.

Rate policy

52(1) Every council must adopt, by bylaw or resolution, a rate policy that:

- (a) sets out the rates or fees to be charged to consumers for the use of water from the municipality's municipal waterworks; and
 - (b) includes the method used for determining those rates or fees.
- (2) For 2006, a council must adopt its rate policy, by bylaw or resolution, not later than July 1, 2006.

16 Dec 2005 cM-36.1 Reg 1 s52.

Investment strategy

53(1) Every council must adopt, by bylaw or resolution, a capital investment strategy that includes the method used for determining capital plans respecting the municipality's municipal waterworks.

- (2) For 2006, a council must adopt its capital investment strategy, by bylaw or resolution, not later than July 1, 2006.

16 Dec 2005 cM-36.1 Reg 1 s53.

Information available for public inspection

54 On or before September 1 of each year, every council must make the following information available to the public through its municipal office:

- (a) the municipality's current rate policy and capital investment strategy as adopted pursuant to sections 52 and 53;
- (b) a financial overview that includes the following information respecting the municipality's municipal waterworks for the previous calendar year:
 - (i) a statement of the municipality's revenues, expenditures, debt payments and transfers to and from all funds;

(ii) a comparison of the municipality's revenues to the municipality's expenditures and debt payments, expressed as a ratio in accordance with the following formula:

$$\frac{R}{(E + D)}$$

where:

R is the municipality's revenues;

E is the municipality's expenditures; and

D is the municipality's debt payments;

(iii) any explanation of the ratio mentioned in subclause (ii) that the municipality considers necessary;

(c) the municipality's current reserves;

(d) the most recent independent engineering assessment conducted pursuant to section 35 of *The Water Regulations, 2002* respecting the municipal waterworks;

(e) capital plans for infrastructure projects;

(f) the sources of funding to be used for the infrastructure projects mentioned in clause (e);

(g) all current agreements entered into by the municipality respecting the provision of municipal waterworks services.

16 Dec 2005 cM-36.1 Reg 1 s54.

Information to be provided to consumers and to the minister

55(1) On or before September 1 of each year, every council must provide the following information to its consumers respecting the municipality's municipal waterworks:

(a) a statement of the municipality's revenues, expenditures and debt payments for the previous calendar year;

(b) a comparison of the municipality's revenues to the municipality's expenditures and debt payments, expressed as a ratio in accordance with the following formula:

$$\frac{R}{(E + D)}$$

where:

R is the municipality's revenues;

E is the municipality's expenditures; and

D is the municipality's debt payments;

- (c) any explanation of the ratio mentioned in clause (b) that the municipality considers necessary;
 - (d) notice that the information required pursuant to section 54 is available for inspection at the municipality's municipal office during regular office hours.
- (2) A council is deemed to have provided the information mentioned in subsection (1) to its consumers if the council has caused the information to be:
- (a) published in a newspaper as defined in clause 2(x) of the Act;
 - (b) posted on the municipality's website; or
 - (c) included in the mailing of annual reports, bills or other municipal forms to each household or place of business that receives water from the municipality's municipal waterworks.
- (3) On or before September 1 of each year, every council must submit to the minister copies of the information being provided by the council to its consumers pursuant to this section.
- (4) On receipt of the materials pursuant to subsection (3), the minister may request, and the council shall submit to the minister within the period set by the minister, any additional information that the minister considers appropriate respecting the municipality's municipal waterworks.
- (5) If, on receipt of additional information pursuant to subsection (4), the minister directs the council to do so, the council shall provide the additional information to its consumers, as soon as possible, in a manner mentioned in subsection (2).

16 Dec 2005 cM-36.1 Reg 1 s55.

PART IX

Dangerous Animals

Interpretation of Part

56 In this Part:

- (a) “**enclosure**” includes a dwelling place;
- (b) “**veterinarian**” means a member in good standing of the Saskatchewan Veterinary Medical Association.

16 Dec 2005 cM-36.1 Reg 1 s56.

Enclosure

57 For the purpose of subclause 375(5)(a)(i) of the Act, the enclosure in which the animal is to be kept must meet the following criteria:

- (a) the enclosure shall be constructed of wood or any other building material of sufficient strength and in a manner adequate to:
 - (i) confine the animal; and
 - (ii) prevent the entry of children of tender years;

- (b) the entrances and other areas by which entry to or exit from the enclosure may be made shall be locked or fastened in a manner adequate to prevent the animal from escaping from the enclosure;
- (c) the enclosure shall be at least 3 metres in length, 1.5 metres in width and 1.8 metres in height;
- (d) the enclosure shall have a top secured to the sides of the enclosure;
- (e) the enclosure shall:
 - (i) have a floor secured to the sides of the enclosure; or
 - (ii) have sides that are embedded in the ground to a depth of at least 0.6 metres;
- (f) the enclosure shall:
 - (i) provide protection from the elements for the animal;
 - (ii) provide adequate light and ventilation for the animal; and
 - (iii) be kept in a sanitary and clean condition.

16 Dec 2005 cM-36.1 Reg 1 s57.

Muzzle and leash

58 For the purpose of subclause 375(5)(a)(ii) of the Act, the animal is to be muzzled and leashed in accordance with the following criteria:

- (a) the animal shall be fitted with a collar or a harness for its body that is properly placed and fitted on the animal;
- (b) the movement of the animal shall be controlled by a person by means of a leash attached to the collar or harness on the animal;
- (c) the leash shall not exceed 1.2 metres in length and shall be constructed of a material having a tensile strength of at least 140 kilograms;
- (d) the muzzle on the animal shall be properly fitted on the animal to prevent the animal from biting any other animal or any person;
- (e) the muzzle shall be fitted on the animal in such a manner that the muzzle does not interfere with the vision or respiration of the animal.

16 Dec 2005 cM-36.1 Reg 1 s58.

Insurance

59 For the purpose of subclause 375(5)(a)(iii) of the Act, the liability insurance must be in an amount not less than \$300,000.

16 Dec 2005 cM-36.1 Reg 1 s59.

Warning sign

60 For the purpose of subclause 375(5)(a)(iv) of the Act, the sign warning of the presence of the animal on the property must be:

- (a) in Form C;
- (b) within 10 days after the date of the judge's order, placed at each entrance to the property where the animal is kept and on the enclosure in which the animal is confined; and
- (c) clearly visible and capable of being read from any adjacent public road.

16 Dec 2005 cM-36.1 Reg 1 s60.

Tattoo

61 For the purpose of subclause 375(5)(a)(viii) of the Act, within 10 days after the date of the order, the owner shall cause the animal to be tattooed:

- (a) at the owner's expense;
- (b) on the animal's ear, inside flank or other suitable area;
- (c) by a veterinarian;
- (d) by means of indelible or permanent ink; and
- (e) with the number assigned to the animal by the municipality.

16 Dec 2005 cM-36.1 Reg 1 s61.

Quarantine

62 If an animal has bitten a person or a domestic animal, unless the animal is ordered to be destroyed, the owner shall quarantine the animal for observation for symptoms of rabies for a period of not less than 10 days in accordance with the *Health of Animals Act* (Canada).

16 Dec 2005 cM-36.1 Reg 1 s62.

Inoculation

63(1) For the purpose of subclause 375(5)(a)(v) of the Act, within 5 days after the date of the order, the owner shall have the animal inoculated against rabies by a veterinarian and provide proof to the administrator that the animal has been inoculated.

(2) If the owner provides proof that the animal has been inoculated against rabies during the period of 12 months before the date of the order mentioned in subsection (1), the owner is not required to comply with that subsection until the expiration of 12 months after the date of inoculation of the animal.

(3) The owner shall have the animal inoculated within each 12-month period following the inoculation mentioned in subsection (1) or (2) during the lifetime of the animal.

16 Dec 2005 cM-36.1 Reg 1 s63.

Rabies testing

64(1) Every person who destroys an animal after it has bitten, but not fatally wounded, a person or a domestic animal, whether the destruction is pursuant to an order of a judge or at the decision of the owner of the animal, shall, if the destruction is carried out before the completion of the quarantine period mentioned in section 62, retain the head of the animal in a manner usable for testing the animal for rabies.

(2) If a person destroys an animal in the circumstances described in subsection (1), the person shall immediately notify a veterinarian or a peace officer that he or she is in possession of the head of an animal to be tested for rabies.

16 Dec 2005 cM-36.1 Reg 1 s64.

**PART X
Forms****Petition for organized hamlet, resort village or village**

65 Form D is the form of petition to be used:

- (a) for the establishment of an organized hamlet pursuant to section 50 of the Act; or
- (b) for the incorporation of a resort village or village pursuant to section 51 of the Act.

16 Dec 2005 cM-36.1 Reg 1 s65.

Application for establishing, incorporating, altering or restructuring

66 Form E is the application form to be used:

- (a) for the establishment of an organized hamlet pursuant to section 50 of the Act;
- (b) for the incorporation of a resort village or village pursuant to section 51 of the Act; or
- (c) for the restructuring of municipalities pursuant to subsection 53(1) of the Act.

16 Dec 2005 cM-36.1 Reg 1 s66.

Notice of appeal to board of revision

67 Form F is the form to be used for the notice of appeal required by:

- (a) subclause 215(1)(c)(ii) and subsection 225(6) of the Act; or
- (b) subsection 223(3) of the Act.

16 Dec 2005 cM-36.1 Reg 1 s67.

Notice of appeal to Saskatchewan Municipal Board

68 Form G is the form to be used for the notice of appeal required by subsection 247(2) of the Act.

16 Dec 2005 cM-36.1 Reg 1 s68.

Statement of account re school taxes

69(1) Form H is the form to be used for the annual statement of account required by section 311 of the Act.

(2) Form H.1 is the form to be used for the interim statement of account required by section 311 of the Act.

(3) Form H.2 is the form to be used for the monthly statement of account required by section 311.1 of the Act.

15 Sep 2006 RS 87/2006 s3; 5 Oct 2007 SR 97/
2007 s3.

PART XI
Repeals

R.R.S. c.R-26 Reg 1 repealed

70 *The Road Committee Regulations* are repealed.

16 Dec 2005 cM-36.1 Reg 1 s70.

R.R.S. c.R-26 Reg 3 repealed

71 *The Overweight Permit Regulations* are repealed.

16 Dec 2005 cM-36.1 Reg 1 s71.

R.R.S. c.R-26.1 Reg 1 repealed

72 *The Organized Hamlet Regulations, 1990* are repealed.

16 Dec 2005 cM-36.1 Reg 1 s72.

R.R.S. c.R-26.1 Reg 3 repealed

73 *The Road Maintenance and Restoration Agreement Regulations, 1990* are repealed.

16 Dec 2005 cM-36.1 Reg 1 s73.

R.R.S. c.R-26.1 Reg 4 repealed

74 *The Rural Municipality Tax Exemption Regulations, 1990* are repealed.

16 Dec 2005 cM-36.1 Reg 1 s74.

R.R.S. c.R-26.1 Reg 5 repealed

75 *The Rural Municipality Regulations, 1990 (No. 1)* are repealed.

16 Dec 2005 cM-36.1 Reg 1 s75.

R.R.S. c.R-26.1 Reg 6 repealed

76 *The Rural Municipality Regulations, 1990 (No. 2)* are repealed.

16 Dec 2005 cM-36.1 Reg 1 s76.

R.R.S. c.R-26.1 Reg 7 repealed

77 *The Dangerous Dogs Control (Rural Municipalities) Regulations* are repealed.

16 Dec 2005 cM-36.1 Reg 1 s77.

R.R.S. c.R-26.1 Reg 8 repealed

78 *The Rural Municipality Oil Well and Gas Well Drilling Fees Schedule Regulations* are repealed.

16 Dec 2005 cM-36.1 Reg 1 s78.

R.R.S. c.R-26.1 Reg 10 repealed

79 *The Rural Municipality Assessment and Taxation Regulations* are repealed.

16 Dec 2005 cM-36.1 Reg 1 s79.

R.R.S. c.R-26.1 Reg 12 repealed

80 *The Rural Municipality Tax Discount Regulations* are repealed.

16 Dec 2005 cM-36.1 Reg 1 s80.

R.R.S. c.U-11 Reg 2 repealed

81 *The Urban Municipality Regulations (No. 2)* are repealed.

16 Dec 2005 cM-36.1 Reg 1 s81.

R.R.S. c.U-11 Reg 5 repealed

82 *The Urban Municipalities Board of Reference Remuneration and Expenses Regulations* are repealed.

16 Dec 2005 cM-36.1 Reg 1 s82.

R.R.S. c.U-11 Reg 6 repealed

83 *The Dangerous Dogs Control Regulations* are repealed.

16 Dec 2005 cM-36.1 Reg 1 s83.

R.R.S. c.U-11 Reg 7 repealed

84 *The Municipal Public Accounts Regulations* are repealed.

16 Dec 2005 cM-36.1 Reg 1 s84.

R.R.S. c.U-11 Reg 8 repealed

85 *The Urban Municipality Tax Exemption Regulations, 1990* are repealed.

16 Dec 2005 cM-36.1 Reg 1 s85.

R.R.S. c.U-11 Reg 14 repealed

86 *The Urban Municipality Assessment and Taxation Regulations* are repealed.

16 Dec 2005 cM-36.1 Reg 1 s86.

PART XII
Coming into Force

Coming into force

87 These regulations come into force on January 1, 2006.

Appendix

PART I
FORMSFORM A
[Section 3]**Oath—member of council**

I, _____, having been elected to the office
of _____ in the _____ of _____,

DO SOLEMNLY PROMISE AND DECLARE THAT:

- 1 I will truly, faithfully and impartially, to the best of my knowledge and ability, perform the duties of this office;
- 2 I have not received and will not receive any payment or reward, or promise of payment or reward, for the exercise of any corrupt practice or other undue execution of this office;
- 3 I will disclose any pecuniary interest as required by and in accordance with *The Municipalities Act*.

DECLARED before me at

_____, Saskatchewan

this _____ day of _____, 20____

*A Commissioner, etc. (or as the case may be)*_____
Signature of Declarant

FORM B
[Section 4]

Oath—member or secretary of board of revision

I, _____, having been appointed to the office
of _____ of the board of revision for the _____
(member/secretary)
of _____,

DO SOLEMNLY PROMISE AND DECLARE THAT:

- 1 I will truly, faithfully and impartially, to the best of my knowledge and ability, perform the duties of this office;
- 2 I have not received and will not receive any payment or reward, or promise of payment or reward, for the exercise of any corrupt practice or other undue execution of this office;
- 3 I am not for any reason disqualified from holding this office.

DECLARED before me at

_____, Saskatchewan

this _____ day of _____, 20_____

A Commissioner, etc. (or as the case may be)

Signature of Declarant

FORM C
[Section 60]

Sign to be Displayed by Owner of Dangerous Animal

WARNING

Dangerous Animal on Premises

*(or if the animal that has been declared dangerous is a dog,
use the following sign:)*

FORM D
[Section 65]

Petition for Organized Hamlet, Resort Village or Village

We, the undersigned, residents of the _____, of _____
(Hamlet/Organized Hamlet)
in the Rural Municipality of _____, No. _____, Saskatchewan:

- 1 Petition the Minister of Government Relations to have established or incorporated as the _____ of _____
(Organized Hamlet/Village/Resort Village)
that portion of Saskatchewan the boundaries of which are shown in detail on the map or plan attached;
- 2 Severally declare, each for himself or herself, that we are Canadian citizens of the full age of 18 years; and
- 3

In the case of establishment as an Organized Hamlet:

- (a) are eligible voters as defined in *The Local Government Election Act* with respect to any land or improvement in the proposed Organized Hamlet.

In the case of incorporation as a Village:

- (b) have resided within the proposed Village, or on land now in the proposed Village, for at least six months immediately preceding the date of submission of this petition; or
- (c) are the owners of assessable land situated in the proposed Village and have resided in Saskatchewan for at least six months.

In the case of incorporation as a Resort Village:

- (d) have resided in Saskatchewan for at least six months immediately preceding the date of the submission of this petition, and
 - (i) have resided within the proposed Resort Village for at least three months immediately preceding the date of the submission of this petition;
 - (ii) are the owners of assessable land in the proposed Resort Village for at least three months immediately preceding the date of the submission of this petition;
 - (iii) are the lessees of land in the proposed Resort Village for at least three months immediately preceding the date of the submission of this petition; or
 - (iv) are the spouses of persons mentioned in subclause (i), (ii) or (iii).

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MUNICIPALITIES

M-36.1 REG 1

SIGNATURE	NAME (Printed)	ADDRESS (Permanent)	LOT (Within proposed organized hamlet/village/resort village)	BLOCK	REG. PLAN NO.	DATE

NOTE: The signatures of at least 30 persons meeting the respective qualifications noted above are required in order for this petition to be valid.

CANADA
PROVINCE OF SASKATCHEWAN
TO WIT

I, _____,
of _____, Saskatchewan, _____
(occupation)

DO SOLEMNLY DECLARE THAT:

- 1 My signature appears on the above petition as that of one of the petitioners;
- 2 The other persons whose names appear as petitioners on the above petition duly signed the petition in my presence;
- 3 _____
(name)
of _____ will
(mailing address)
undertake on behalf of the petitioners all further communications respecting this petition.

I make this solemn declaration believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

DECLARED before me at

_____, Saskatchewan

this _____ day of _____, 20 _____

A Commissioner, etc. (or as the case may be)

Signature of Declarant

FORM E
[Section 66]

Application for Establishment, Incorporation or Restructuring

APPLICATION AND PROPOSAL

- 1 In accordance with section 59 of *The Municipalities Act* ("the Act"):
the petitioners in the _____ of _____ apply for:
(Hamlet/Organized Hamlet)
- (a) establishment of an Organized Hamlet pursuant to section 50 of the Act;
 - (b) incorporation as a Resort Village pursuant to section 51 of the Act; or
 - (c) incorporation as a Village pursuant to section 51 of the Act.

OR

the council of the _____ of _____
(type of municipality) *(name of municipality)*

applies for restructuring pursuant to subsection 53(1) of the Act by:
(details of restructuring – e.g. adding to or withdrawing territory, merger, inclusion, etc.)

REASONS

- 2 The reasons for the request are: *(Attach extra sheets if necessary)*
- (a)
 - (b)
 - (c)

PETITION/COUNCIL RESOLUTION

- 3 In the case of an application to establish an organized hamlet or to incorporate a resort village or village, the petition together with a certificate of the administrator of the rural municipality in which the proposed organized hamlet, resort village or village is located verifying that the petitioners are voters of the hamlet or organized hamlet is attached as Schedule 1.
- OR**
- 3 In the case of an application for restructuring, a certified copy of a resolution of the council requesting the restructuring is attached as Schedule 1.

MAP AND PLANS FOR FUTURE GROWTH AND DEVELOPMENT

- 4 A map or plan showing in detail the boundaries of the proposal including a legal description of any proposed boundary changes to the municipalities affected by the application and changed by the proposal as verified by the administrators of the municipalities affected by the proposal is attached as Schedule 2.
- 5 An outline of plans for future growth or development of the proposed organized hamlet or municipality is attached as Schedule 3.

PROPOSED OPERATING AND CAPITAL BUDGET

- 6 Except in the case of an application pursuant to clause 53(1)(a) of the Act, a proposed operating and capital budget for the proposed organized hamlet or municipality and for any other municipality affected by the application is attached as Schedule 4.

RESOLUTION(S) OF AFFECTED COUNCIL(S)

- 7 The council of the _____
(City/Town/Village/Resort Village/R.M./Northern Municipality)
of _____ has consented/has not consented to this proposal.
Accordingly, a certified complementary resolution of the council(s) is/is not attached as Schedule 5.
(Attach resolutions of all councils affected by the proposal)

PUBLIC NOTICES, MEETINGS AND OBJECTIONS

- 8 Copies of public notices and any written submissions respecting the proposal received by the council are attached as Schedule 6.
- 9 Minutes of the public meeting held pursuant to section 57 of the Act are attached as Schedule 7.

POPULATION, ASSESSMENT AND DWELLINGS

- 10 A statement setting out the population, total taxable assessments, and the number of dwellings and lots for each municipality and other municipality affected by the proposal is attached as Schedule 8.

VOLUNTARY RESTRUCTURING AGREEMENT

- 11 A voluntary restructuring agreement is/is not attached as Schedule 9.

DECLARATION

12 I, _____, of _____,
Saskatchewan, being the Petitioners' Representative,

OR

12 I, _____, being the Administrator for the municipality
of _____, Saskatchewan,

CERTIFY THAT:

- 1 I have personal knowledge of the matters herein deposed to.
- 2 The statements contained within this application are true.
- 3 The preliminary proceedings required by sections 55, 56 and 57 of *The Municipalities Act* were carried out.
- 4 In the case of an application for restructuring, this application was duly authorized by the council of the municipality of _____.

I make this solemn declaration believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

DECLARED before me at

_____, Saskatchewan

this _____ day of _____, 20 ____.

A Commissioner, etc. (or as the case may be)

Signature of Declarant

FORM F
[Section 67]

Notice of Appeal to the Board of Revision

To the Secretary of the Board of Revision of the municipality
of _____, Saskatchewan.
(name of municipality)

I choose the: ☐ Simplified appeal process (section 223 of *The Municipalities Act*)
☐ Regular appeal process

I appeal against the: (check beside those that apply)

- ☐ property valuation (land valuation or improvement valuation or both)
☐ property classification (land classification or improvement classification or both)
☐ exemption
☐ preparation or content of the assessment roll
☐ notice of assessment (assessed value or taxable assessment)

of the following property _____
(legal land description, civic address, assessment roll number or alternate)

on the following grounds, and, in support of these grounds, I state the following material facts to be true and accurate:

1 Ground of Appeal

Supporting material facts:

2 Ground of Appeal

Supporting material facts:

3 Ground of Appeal

Supporting material facts:

*(Attach extra sheets if necessary)*I request that the following change(s) be made to the assessment roll *(if known)*:*(Attach extra sheets if necessary)*I discussed my appeal with _____ of the municipality
*(assessor's/officer's name)*on _____ and the following is a summary of that discussion:
*(month/day/year)**(Include the outcome of the discussion and any details of the facts or issues agreed to by the parties)***OR**I have not discussed my appeal with the municipality's assessor for the following reasons: *(Provide reasons why no discussion was held)* *(Attach extra sheets if necessary)*

My address for the service of notice in connection with this appeal is:

*(name)*_____
*(street)*_____
*(city/town/etc.)*_____
*(province)*_____
(postal code)

I can also be reached at the following telephone numbers:

() _____ and () _____
*(home) (business)*Dated this _____ day of _____, 20 _____.
(day) (month)

Assessment Value under Appeal: \$ _____

(Appellant's Signature)\$ _____
*(Enclosed Appeal Fee)***Note:** If the municipality has established an appeal fee by bylaw, the fee must accompany this notice.
Section 230 of *The Municipalities Act* does not apply to the simplified appeal process.

FORM G
[Section 68]

Notice of Appeal to the Saskatchewan Municipal Board

To the secretary of the Saskatchewan Municipal Board:

I appeal the decision (or failure to render a decision) of the board of revision for the municipality
of _____ to the Saskatchewan Municipal Board
respecting the:

(check beside those that apply)

- ☐ property valuation (land valuation or improvement valuation or both)
- ☐ property classification (land classification or improvement classification or both)
- ☐ exemption
- ☐ designation of school support
- ☐ notice of assessment

of _____
(legal land description) *(assessment or alternate number)*

(street address, if applicable)

Taxable assessment value under appeal: \$ _____

My grounds for appeal are as follows:

(Attach additional pages if necessary)

Contact person for this appeal:

Property Owner(s): _____

Agent or other appellant: _____

Mailing Address: _____

Firm: _____

Mailing Address: _____

Telephone No: _____

(home)

Telephone No: _____

(home)

(business)

(business)

Fax No: _____

Fax No: _____

Dated this _____ day of _____, 20 _____.
(day) (month)

(Appellant's Signature)

\$ _____
(Enclosed Appeal Fee)

Note: The appellant must serve this Notice of Appeal on the secretary of the Saskatchewan Municipal Board (SMB). The prescribed appeal fee, payable to the SMB, must accompany this notice. Information on appeal fees may be obtained from the SMB. On receipt of this notice, the secretary of the SMB must serve a copy of this notice on every party to the appeal other than the appellant and provide a copy of this notice to the secretary of the board of revision.

2009-2

MUNICIPALITIES

M-36.1 REG 1

FORM H
[Section 69]

Annual Statement of Account of School Taxes for the Year _____

_____ in account with the _____
(name of municipality) (name of school division)

(administrator's name)

(telephone no.)

(fax no.)

PART I:**Taxable Assessments and Mill Rates:**

School Division Uniform Mill Rate _____

	Taxable Assessment	*Adjusted Mill Rate	Current Levy (Gross)	**Bylaw Exempt Assessment
(N) Non-arable (range)				
(A) Other Agricultural				
(R) Residential				
(M) Multi-unit Residential				
(S) Seasonal Residential				
(C) Commercial and Industrial				
(E) Elevators				
(P) Railway Rights of Way and Pipeline				
Totals				
Provincial Education Property Tax Credit (PEPTC)				
Current Levy (Gross) Less PEPTC				(equal to item 11)

*If the adjusted mill rate differs from the school division uniform mill rate, please attach an explanation/calculation of how the adjusted mill rate was determined.

Exemptions by municipal bylaw that affect the school portion of property taxes pursuant to subsection 295(1) or (2) of *The Municipalities Act*.PART II**

<p>1 Due from School January 1 _____</p> <p>2 Payments to School Division During Year:</p> <table border="0"> <tr><td>J</td><td>_____</td><td>F</td><td>_____</td></tr> <tr><td>M</td><td>_____</td><td>A</td><td>_____</td></tr> <tr><td>M</td><td>_____</td><td>J</td><td>_____</td></tr> <tr><td>J</td><td>_____</td><td>A</td><td>_____</td></tr> <tr><td>S</td><td>_____</td><td>O</td><td>_____</td></tr> <tr><td>N</td><td>_____</td><td>D</td><td>_____</td></tr> </table> <p>3 Discounts Given on Taxes _____</p> <p>4 Penalty Rebates Given _____</p> <p>5 Loss on Sale of Tax Title Property _____</p> <p>6 Share of Approved Tax Collection Costs _____</p> <p>7 Taxes Cancelled Abatements _____</p> <p>8 Due to School December 31 _____</p> <p style="text-align: right;">Total _____</p> <p>17 Total Cash Received (Collected) on Behalf of this School Division for the Year _____</p>	J	_____	F	_____	M	_____	A	_____	M	_____	J	_____	J	_____	A	_____	S	_____	O	_____	N	_____	D	_____	<p>9 Due to School January 1 _____</p> <p>10 Gross Penalty Added to Tax Arrears _____</p> <p>11 Current Levy (Gross) Less PEPTC _____</p> <p>12 Penalty on Current Year Taxes _____</p> <p>13 Share of Trailer Licence Fees _____</p> <p>14 Share of Grants-in-Lieu of Taxes:</p> <p style="padding-left: 20px;">Federal Government/Agencies _____</p> <p style="padding-left: 20px;">Provincial Government/Agencies _____</p> <p style="padding-left: 20px;">C.P.R. _____</p> <p style="padding-left: 20px;">Housing Authorities _____</p> <p>15 _____</p> <p>16 Due from School December 31 _____</p> <p style="text-align: right;">Total _____</p>
J	_____	F	_____																						
M	_____	A	_____																						
M	_____	J	_____																						
J	_____	A	_____																						
S	_____	O	_____																						
N	_____	D	_____																						

I hereby certify that the above statement is correct.

Dated this _____ day of January, _____.

(Signature)

FORM H.1
[Section 69]

Interim Statement of Account of School Taxes for the Period January 1 to August 31, _____

in account with the

(name of municipality)

(name of school division)

(administrator's name)

(telephone no.)

(fax no.)

PART I

Taxable Assessments and Mill Rates:

School Division Uniform Mill Rate

	Taxable Assessment	*Adjusted Mill Rate	Current Levy (Gross)	**Bylaw Exempt Assessment
(N) Non-arable (range)				
(A) Other Agricultural				
(R) Residential				
(M) Multi-unit Residential				
(S) Seasonal Residential				
(C) Commercial and Industrial				
(E) Elevators				
(P) Railway Rights of Way and Pipeline				
Totals				
Provincial Education Property Tax Credit (PEPTC)				
Current Levy (Gross) Less PEPTC				
				(equal to item 11)

Provincial Education Property Tax Credit (PEPTC)

Current Levy (Gross) Less PEPTC

Has the assessment roll been confirmed by SAMA? ☐ Yes ☐ No

*If the adjusted mill rate differs from the school division uniform mill rate, please attach an explanation/calculation of how the adjusted mill rate was determined.

***Exemptions by municipal bylaw that affect the school portion of property taxes pursuant to subsection 295(1) or (2) of The Municipalities Act.*

PART II

1	Due from School January 1		9	Due to School January 1	
2	Payments to School Division for the period ending August 31:		10	Gross Penalty Added to Tax Arrears	
J		F	11	Current Levy (Gross) Less PEPTC	
M		A	12	Penalty on Current Year Taxes	
M		J	13	Share of Trailer Licence Fees	
J		A	14	Share of Grants-in-Lieu of Taxes:	
		(total payments)		Federal Government/Agencies	
3	Discounts Given on Taxes			Provincial Government/Agencies	
4	Penalty Rebates Given			C.P.R.	
5	Loss on Sale of Tax Title Property			Housing Authorities	
6	Share of Approved Tax Collection Costs		15		
7	Taxes Cancelled/Abatements				
8	Due to School as of August 31		16	Due from School as of August 31	
	Total			Total	
17	Total Cash Received (Collected) on Behalf of this School Division for the period ending August 31				

I hereby certify that the above statement is correct.

Dated this _____ day of September, _____.

(Signature)

Interim Statement of Account of School Taxes for the Period January 1 to August 31, _____

_____ in account with the _____
(name of municipality) *(name of school division)*

PART III: Detailed Statement of School Taxes Cancelled/Abated as of August 31, _____

Name	Legal Description	Amount of Taxes Cancelled	Years During Which Cancelled Taxes Were Levied	Explanation or Reason
18 Total Taxes Cancelled/Abated			(equal to Item 7)	

PART IV: Details of Balance of Liability at August 31:

19	Due on Account of Collections of School Taxes, Trailer Licence Fees, and Grants-in-lieu of Taxes -----	
20	Due on Account of Uncollected Taxes -----	

21	Due on Account of Tax Title Property: ----- Sold and Collections not Remitted	
	----- Unsold -----	
22		Total (equal to Item 8)
23	Estimated Amount of Uncollectible Tax Arrears	

THIS STATEMENT IS TO BE FILED WITH THE SCHOOL DIVISION AND THE SASKATCHEWAN ASSESSMENT MANAGEMENT AGENCY
 NO LATER THAN SEPTEMBER 15 OF EACH YEAR.

2009-2

MUNICIPALITIES

M-36.1 REG 1

Form H.2
[Section 69]

Monthly Statement of Account of School Taxes

_____ in account with the _____
(name of municipality) (name of school division)

_____ (administrator's/clerk's name) _____ (telephone no.) _____ (fax no.)

This is to certify that this municipality has collected school division taxes during this month of

_____, _____, as follows:
(month) (year)

Gross School Division taxes collected before penalties or discounts \$ _____

Other Collections:

Grants in lieu of taxes \$ _____

Share of tax title property sale proceeds \$ _____

Other (explanation) \$ _____

Penalties collected during month \$ _____

LESS: Current Levy Discounts (_____ %) \$ _____

TOTAL COVERED BY CHEQUE ENCLOSED \$ _____

Adjustments

(Provide written details. For example:

abatements, cancellations, tax collection costs, etc.) \$ _____

Dated at _____, Saskatchewan, this _____ day of _____, 20__.

(Administrator)

15 Sep 2006 RS 87/2006 s4.

NOTE:

As per section 311.1(1) of *The Municipalities Act*, this form is to be completed and mailed to the School Division together with the municipality's cheque on or before the 10th day of each month, except in the months of January and September.

A separate monthly statement is to be completed for each month.

If there are no collections in any month submit a "NIL" report.

Copy 1 - Mail to School Division

Copy 2 - Retain on file for Municipal Auditor

5 Oct 2007 SR 97/2007 s4.

PART II
TABLES

TABLE 1
[Section 8]

Fees for drilling oil wells and gas wells

Activity	Fee
for the drilling of an oil well or a gas well.....	\$450
for the drilling of a hole, other than a hole drilled for seismic testing, to a point below the drift for the purpose of obtaining geological and structural information	\$225

TABLE 2
[Clause 45(2)(c)]

Calculation of Amounts of Land Exempt from Taxation

<i>Maximum Enrolment of Students in School</i>	<i>Divisions I and II Schools (hectares)</i>	<i>Combined Divisions I, II, III and IV or Divisions III and IV (hectares)</i>
75 or less	1.2	1.6
100	2.2	2.2
200	2.4	2.4
300	2.4	2.8
400	2.8	3.2
500	2.8	3.6
700	3.2	4.4
1 000	4.0	5.7

Plus 0.4 hectare for each additional 100 pupils.

Volume 7

Table of Contents

This volume contains:

N

Under *The Non-profit Corporations Act, 1995/Loi de 1995 sur les sociétés sans but lucratif*, c.N-4.2

N-4.2 Reg 1/ N-4.2 Règl 1	<i>The Non-profit Corporations Regulations, 1997/ Règlement de 1997 sur les sociétés sans but lucratif</i>
------------------------------	--

Under *The Northern Municipalities Act*, c.N-5.1

N-5.1 Reg 9	<i>The Dangerous Dogs Control (Northern Saskatchewan) Regulations</i>
SR 243/79	<i>The Northern Crown Land Disposition Regulations</i>
N-5.1 Reg 2	<i>The Northern Municipalities General Regulations (No. 1)</i>
N-5.1 Reg 3	<i>The Northern Municipalities General Regulations (No. 2)</i>
N-5.1 Reg 14	<i>The Northern Municipalities Public Reporting on Municipal Waterworks Regulations</i>
N-5.1 Reg 13	<i>The Northern Municipalities Revenue Sharing Program Regulations, 2004</i>
N-5.1 Reg 15	<i>The Northern Municipalities Tax Discount and Penalty Regulations, 2007</i>
N-5.1 Reg 11	<i>The Northern Municipalities Tax Exemption Regulations, 1990</i>
N-5.1 Reg 12	<i>The Northern Municipality Assessment and Taxation Regulations</i>
N-5.1 Reg 16	<i>The Northern Revenue Sharing Capital Grants Regulations</i>
N-5.1 Reg 1	<i>The Northern Saskatchewan Administration District Boundaries Regulations</i>
N-5.1 Reg 7	<i>The Northern Village of Beauval Boundary Designation Regulations</i>

Under *The Notaries Public Act*, c.N-8

N-8 Reg 1	<i>The Notaries Public Regulations</i>
-----------	--

Under *The Noxious Weeds Act, 1984*, c.N-9.1

N-9.1 Reg 2	<i>The Noxious Weeds Designation Regulations</i>
N-9.1 Reg 1	<i>The Noxious Weeds Regulations</i>

Under *The Occupational Health and Safety Act, 1993*, c.O-1.1

O-1.1 Reg 2	<i>The Mines Regulations, 2003</i>
O-1.1 Reg 1	<i>The Occupational Health and Safety Regulations, 1996</i>

Under *The Oil and Gas Conservation Act*, c.O-2

O-2 Reg 1	<i>The Oil and Gas Conservation Regulations, 1985</i>
SR 16/95	<i>The Spacing Areas "A" and "B" Repeal Regulations</i>

P

Under *The Parks Act*, c.P-1.1

P-1.1 Reg 7	<i>The Contact Lake Surface Lease Agreement Regulations, 1991</i>
P-1.1 Reg 1	<i>The Historic Sites Regulations</i>
P-1.1 Reg 8	<i>The Park Land Reserve Regulations</i>
P-1.1 Reg 6	<i>The Parks Regulations, 1991</i>
P-1.1 Reg 5	<i>The Recreation Sites Regulations, 1991</i>

Under *The Partnership Act*, c.P-3

P-3 Reg 1	<i>The Partnership Regulations</i>
-----------	------------------------------------

Under *The Passenger and Freight Elevator Act*, c.P-4

P-4 Reg 2	<i>The Passenger and Freight Elevator Regulations, 2003</i>
-----------	---

Under *The Pastures Act, 1998*, c.P-4.1

P-4.1 Reg 1	<i>The Pastures Regulations, 2000</i>
-------------	---------------------------------------

Under *The Pawned Property (Recording) Act*, c.P-4.2

P-4.2 Reg 1	<i>The Pawned Property Recording Regulations</i>
-------------	--

Under *The Pension Benefits Act, 1992*, c.P-6.001

P-6.001 Reg 1	<i>The Pension Benefits Regulations, 1993</i>
---------------	---

Under *The Personal Care Homes Act*, c.P-6.01

P-6.01 Reg 2	<i>The Personal Care Homes Regulations, 1996</i>
--------------	--

Under *The Personal Property Security Act, 1993*, c.P-6.2

P-6.2 Reg 1	<i>The Personal Property Security Regulations</i>
-------------	---

Under *The Pest Control Act*, c.P-7

P-7 Reg 4	<i>The Bacterial Ring Rot Control Regulations</i>
P-7 Reg 5	<i>The Late Blight Control Regulations</i>
P-7 Reg 2	<i>The Pests Declaration Regulations</i>
P-7 Reg 1	<i>The Warble Control Regulations</i>

Under *The Pest Control Products (Saskatchewan) Act*, c.P-8

P-8 Reg 3	<i>The Pest Control Products Regulations, 1995</i>
-----------	--

Under *The Pharmacy Act, 1996*, c.P-9.1

P-9.1 Reg 2 *The Drug Schedules Regulations, 1997*

Under *The Pipe Lines Act, 1998*, c.P-12.1

P-12.1 Reg 1 *The Pipe Lines Regulations, 2000*

Under *The Planning and Development Act, 1983*, c.P-13.1

P-13.1 Reg 3 *The Dedicated Lands Regulations, 2009*

P-13.1 Reg 1 *The Subdivision Regulations*

Under *The Police Act, 1990*, c.P-15.01

P-15.01 Reg 1 *The Municipal Police Clothing and Rank Regulations, 1991*

P-15.01 Reg 4 *The Municipal Police Discipline Regulations, 1991*

P-15.01 Reg 3 *The Municipal Police Equipment Regulations, 1991*

P-15.01 Reg 5 *The Municipal Police Recruiting Regulations, 1991*

P-15.01 Reg 6 *The Municipal Police Report Forms and Filing System Regulations, 1991*

P-15.01 Reg 2 *The Municipal Police Training Regulations, 1991*

P-15.01 Reg 7 *The Police Regulations*

*The
Northern
Municipalities
Revenue Sharing
Program
Regulations, 2004*

being

Chapter N-5.1 Reg 13 (effective July 28, 2004) as amended by Saskatchewan Regulations 42/2005, 69/2006, 46/2007, 112/2007, 98/2008 and 34/2009.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

Table of Contents

1	Title	
2	Interpretation	
3	Per capita component	
4	Foundation component	
5	Foundation pool	
6	Revenue sharing pool	
7	Operating grant	
8	R.R.S. c.N-5.1 Reg 8 repealed	
9	Coming into force	
		Appendix
	Table 1	Northern Factors
	Table 2	Per Capita Amounts
	Table 3	Sewer and Water Component
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	Table 5	Minimum Equalization Amounts for Towns, Northern Villages and Northern Hamlets
		Minimum Equalization Amounts for Northern Settlements
	Table 6	Additional Amounts

CHAPTER N-5.1 REG 13
The Northern Municipalities Act

Title

- 1** These regulations may be cited as *The Northern Municipalities Revenue Sharing Program Regulations, 2004*.

Interpretation

- 2** In these regulations:

- (a) **"Act"** means *The Northern Municipalities Act*;
- (b) **"fiscal year"** means the period commencing on April 1 in one year and ending on March 31 of the following year;
- (c) **"population"** in relation to a northern municipality or northern settlement, means the population of the northern municipality or northern settlement as determined by the minister;
- (d) **"table"** means a table set out in the Appendix.

6 Aug 2004 cN-5.1 Reg 13 s2.

Per capita component

- 3** The per capita component for a northern municipality or northern settlement is the amount equal to the product of:

- (a) the population of the northern municipality or northern settlement;
- (b) the northern factor for the northern municipality or northern settlement as set out in Table 1; and
- (c) the per capita amount for the northern municipality or northern settlement as set out in Table 2.

6 Aug 2004 cN-5.1 Reg 13 s3.

Foundation component

- 4** The foundation component for a northern municipality or northern settlement is the amount equal to the sum of:

- (a) the sewer and water component for the northern municipality or northern settlement as set out in Table 3; and
- (b) the greater of:
 - (i) the amount obtained when the product of the total assessment for the northern municipality or northern settlement and the computational mill rate for the northern municipality or northern settlement as set out in Table 4 is subtracted from the product of:

- (A) the northern factor for the northern municipality or northern settlement as set out in Table 1;

- (B) the average per capita assessment:
 - (I) in the case of the towns of La Ronge and Creighton, of other towns in Saskatchewan; and
 - (II) in the case of all other northern municipalities and all northern settlements, of rural municipalities in Saskatchewan;
- (C) the population of the northern municipality or northern settlement; and
- (D) the computational mill rate for the northern municipality or northern settlement as set out in Table 4; and
- (ii) the minimum equalization amount applicable to the northern municipality or northern settlement as set out in Table 5.

6 Aug 2004 cN-5.1 Reg 13 s4.

Foundation pool

5 The foundation pool is the amount obtained when the per capita component for all northern municipalities and northern settlements is subtracted from the total revenue sharing pool.

6 Aug 2004 cN-5.1 Reg 13 s5.

Revenue sharing pool

6 The total revenue sharing pool is:

- (a) for the 2008-2009 fiscal year, \$10,973,685.44; and
- (b) for each subsequent fiscal year, the product of:
 - (i) the total revenue sharing pool for the preceding fiscal year; and
 - (ii) any factor that the minister may determine.

6 Aug 2004 cN-5.1 Reg 13 s6; 22 Jne 2007 SR 46/2007 s3; 24 Oct 2008 SR 98/2008 s3; 3 Apr 2009 SR 34/2009 s3.

Operating grant

7(1) Subject to subsections (2) and (3), the minister may pay to each northern municipality and to each northern settlement an operating grant, to be known as the Northern Revenue Sharing Operating Grant, in an amount equal to the sum of:

- (a) the per capita component for the northern municipality or northern settlement; and
- (b) the product of:
 - (i) the foundation component of the northern municipality or northern settlement; and
 - (ii) the amount obtained when the foundation pool is divided by the foundation component for all northern municipalities and northern settlements.

(2) Notwithstanding subsection (1) but subject to subsection (3), the amount of the Northern Revenue Sharing Operating Grant that may be paid to a northern municipality or northern settlement for the 2008-2009 fiscal year and for each subsequent fiscal year is an amount equal to the amount of that grant that was paid to the northern municipality or northern settlement in the 2007-2008 fiscal year multiplied by 1.156746.

(3) If a northern municipality or northern settlement installs new water and sewer facilities, the amount of the Northern Revenue Sharing Operating Grant that may be paid to that northern municipality or northern settlement for any fiscal year is an amount equal to the sum of:

- (a) the amount that may be paid to the northern municipality or northern settlement pursuant to subsection (2); and
- (b) the amount of the applicable water and sewer component as set out in Table 3.

(4) Subject to subsection (5) and any terms and conditions the minister considers appropriate, in addition to the amounts mentioned in subsections (1) to (3), the minister may make a grant, on behalf of a northern municipality or northern settlement, to any organization that promotes interests and actions in the district on behalf of the northern municipality or northern settlement.

(5) For the 2007-08 fiscal year and for each subsequent fiscal year, for grants made pursuant to subsection (4):

- (a) the total amount to be paid on behalf of all northern municipalities and northern settlements must not exceed \$320,000; and
- (b) the total amount to be paid on behalf of any northern municipality or northern settlement is to be calculated by dividing the total amount to be paid pursuant to clause (a) by the total number of northern municipalities and northern settlements on whose behalf the grants are being made.

(6) In addition to any amount for which the northern settlement of Uranium City may be eligible pursuant to this section, for the 2005-2006 fiscal year and for each subsequent fiscal year the minister may make a Northern Revenue Sharing Operating Grant to the northern settlement of Uranium City in an amount not to exceed \$70,000 to enable the northern settlement to continue to operate, in a manner acceptable to the minister:

- (a) works for the supply, collection, treatment, storage and distribution of water; and
- (b) works for the collection, transmission, treatment and disposal of sewage or storm drainage.

(7) For the 2007-08 fiscal year, in addition to the amounts for which a northern municipality or northern settlement listed in Table 6 may be eligible pursuant to subsections (1) to (5), that northern municipality or northern settlement is to be paid an amount as set out in Table 6.

6 Aug 2004 cN-5.1 Reg 13 s7; 13 May 2005 SR 42/2005 s2; 7 Jly 2006 SR 69/2006 s2; 22 Jne 2007 SR 46/2007 s4; 19 Oct 2007 SR 112/2007 s3; 24 Oct 2008 SR 98/2008 s4; 3 Apr 2009 SR 34/2009 s4.

R.R.S. c.N-5.1 Reg 8 repealed

8 *The Northern Municipalities Revenue Sharing Program Regulations, 1988* are repealed.

6 Aug 2004 cN-5.1 Reg 13 s8.

Coming into force

9 These regulations come into force on the day on which they are filed with the Registrar of Regulations but are retroactive and are deemed to have been in force on and from April 1, 2004.

6 Aug 2004 cN-5.1 Reg 13 s9.

AppendixTABLE 1
[Section 3]**Northern Factors**

<u>Northern Community</u>	<u>Northern Factor</u>
Air Ronge	1.000
Bear Creek	1.330
Beauval	1.208
Black Point	1.330
Brabant Lake	1.281
Buffalo Narrows	1.218
Camsell Portage	1.655
Cole Bay	1.208
Creighton	1.199
Cumberland House	1.235
Denare Beach	1.224
Descharme Lake	1.387
Dore Lake	1.110
Garson Lake	1.378
Green Lake	1.027
Ile-a-la-Crosse	1.214
Jans Bay	1.208
La Loche	1.230
La Ronge	1.000
Michel Village	1.220
Missinipe	1.048
Patuanak	1.212
Pelican Narrows	1.231
Pinehouse	1.214
Sandy Bay	1.270
Sled Lake	1.092
Southend	1.228
St. George's Hill	1.220
Stanley Mission	1.190
Stony Rapids	1.848
Timber Bay	1.070
Turnor Lake	1.224
Uranium City	1.510
Weyakwin	1.089
Wollaston Lake	1.383

TABLE 2
[Section 3]**Per Capita Amounts**

<u>Northern Community</u>	<u>Per Capita Amount</u>
Town	\$53.55
Northern village	48.30
Northern hamlet	45.70
Northern settlement	43.05

6 Aug 2004 cN-5.1 Reg 13.

TABLE 3
[Section 4]**Sewer and Water Component****A. Northern Municipalities and Northern Settlements with Conventional Sewer and Water System or Water Treatment Plant**

<u>Population</u>	<u>Sewer and Water Component</u>
0 – 499	\$18,000
500 – 749	$\$18,000 + \$6 \times (\text{population} - 500)$
750 – 999	$\$19,500 + \$5 \times (\text{population} - 750)$
1000 – 1499	$\$20,750 + \$4 \times (\text{population} - 1000)$
1500 or more	$\$22,750 + \$3 \times (\text{population} - 1500)$

B. Northern Municipalities and Northern Settlements without Conventional Sewer and Water System

<u>Population</u>	<u>Sewer and Water Component</u>
0 – 99	\$6,000
100 – 199	$\$6,000 + \$20 \times (\text{population} - 100)$
200 or more	$\$8,000 + \$10 \times (\text{population} - 200)$

6 Aug 2004 cN-5.1 Reg 13.

TABLE 4
[Section 4]**Computational Mill Rates**

<u>Northern Community</u>	<u>Mill Rate</u>
Town	13.275
Northern village	11.800
Northern hamlet	8.850
Northern settlement	8.850

6 Aug 2004 cN-5.1 Reg 13.

TABLE 5
[Section 4]**Minimum Equalization Amounts for Towns,
Northern Villages and Northern Hamlets**

<u>Population</u>	<u>Minimum Equalization Amount</u>
Under 100	\$20,000.00
100 - 149	25,000.00
150 - 199	30,000.00
200 - 499	35,000.00
500 - 1999	50,000.00
2000 and over	75,000.00

Minimum Equalization Amounts for Northern Settlements

<u>Population</u>	<u>Minimum Equalization Amount</u>
Under 100	\$15,000.00
100 - 199	20,000.00
200 - 299	22,500.00
300 and over	25,000.00

6 Aug 2004 cN-5.1 Reg 13.

TABLE 6
[Section 7]**Additional Amounts**

Community	Status	Additional Amount
Air Ronge	Northern Village	\$ 74,595
Beauval	Northern Village	\$ 17,857
Creighton	Town	\$104,666
Denare Beach	Northern Village	\$ 17,098
Ile a la Crosse	Northern Village	\$109,951
La Loche	Northern Village	\$185,461.29
La Ronge	Town	\$146,694
Pinehouse	Northern Village	\$ 78,420
Sandy Bay	Northern Village	\$ 95,524

19 Oct 2007 SR 112/2007 s4.

The Northern Municipality Assessment and Taxation Regulations

being

Chapter N-5.1 Reg 12 (sections 1 and 2 effective October 9, 1996; sections 3 to 23 effective November 1, 1996) as amended by Saskatchewan Regulations 12/97, 41/97, 44/1999, 16/2000, 14/2001, 120/2004, 89/2006, 110/2007, 133/2008 and 40/2009.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER N-5.1 REG 12
The Northern Municipalities Act

PRELIMINARY

Title

- 1** These regulations may be cited as *The Northern Municipality Assessment and Taxation Regulations*.

Interpretation

- 2** In these regulations:

- (a) **“Act”** means *The Northern Municipalities Act*;
- (b) **Repealed.** 6 Apr 2001 SR 14/2001 s3.

18 Oct 96 cN-5.1 Reg 12 s2; 27 Jne 97 SR 41/97
s3; 6 Apr 2001 SR 14/2001 s3.

PROPERTY CLASSES AND PERCENTAGE OF VALUES

Classes of property

- 3** The classes of property prescribed for the purposes of subsection 194.02(2) of the Act are:

- (a) **NON-ARABLE (RANGE) LAND AND IMPROVEMENTS**, which includes only land and improvements, other than occupied dwellings:
 - (i) for which the predominant potential use is as range land or pasture land, determined as the best use that could reasonably be made of the majority of the surface area; or
 - (ii) the majority of the surface area of which is not developed for any use, has been left in or is being returned to its native state or cannot be used for agricultural purposes;
- (b) **OTHER AGRICULTURAL LAND AND IMPROVEMENTS**, which includes only land and improvements, other than occupied dwellings:
 - (i) for which the predominant potential use is cultivation, determined as the best use that could reasonably be made of the majority of the surface area;
 - (ii) used for dairy production, raising poultry or livestock, producing poultry or livestock products, bee keeping, seed growing or growing plants in an artificial environment; or
 - (iii) used for other agricultural purposes, except for land and improvements classified as **NON-ARABLE (RANGE) LAND AND IMPROVEMENTS**;

(c) RESIDENTIAL, which, except for land and improvements classified as MULTI-UNIT RESIDENTIAL or SEASONAL RESIDENTIAL, includes only land and improvements used or intended to be used for, or in conjunction with, a residential purpose, including vacant land subdivided into lots for residential use, provided that where land is used as a yardsite in conjunction with a purpose mentioned in clause (a) or (b), three acres of that land is to be classified as RESIDENTIAL;

(d) MULTI-UNIT RESIDENTIAL, which includes only:

(i) land and improvements designed and used for or intended to be used for, or in conjunction with, a residential purpose and to accommodate four or more self-contained dwelling units within a parcel, or in the case of a condominium, any part of a parcel within the meaning of *The Condominium Property Act, 1993* that is used for a residential purpose; and

(ii) vacant land zoned for use for multiple dwelling units;

(e) SEASONAL RESIDENTIAL, which includes only:

(i) land and improvements:

(A) used or intended to be used for, or in conjunction with, both residential and recreational purposes;

(B) located in:

(I) a recreational subdivision; or

(II) the Northern Saskatchewan Administration District outside the boundaries of towns, northern villages, northern hamlets and northern settlements;

(C) normally used for a maximum of six months in any year, as determined by the municipal assessor; and

(D) not being the principal residence in Canada of the occupant; and

(ii) land and improvements used for seasonal camps;

(f) COMMERCIAL AND INDUSTRIAL, which includes only land and improvements:

(i) used or intended to be used for business purposes, including but not limited to land and improvements for office, wholesale, retail, service, hotel, motel, industrial and manufacturing activities, transportation, communications and utilities;

(ii) used or intended to be used for institutional, government, recreational or cultural purposes;

(iii) used or intended to be used for mines or petroleum oil wells and gas wells; or

(iv) not specifically included in another class of property;

- (g) ELEVATORS, which includes only:
 - (i) land and improvements designed and used for receiving, processing and shipping grains, oilseeds and special forages and licensed by the Canadian Grain Commission; and
 - (ii) land and improvements used in conjunction with the land and improvements described in subclause (i); and
- (h) RAILWAY RIGHTS OF WAY AND PIPELINE, which includes only railway roadway, railway superstructure, and pipeline, and other land and improvements used in conjunction with a pipeline.

6 Apr 2001 SR 14/2001 s4.

Percentages of value

4 The percentages of value applicable to the classes of property prescribed in section 3, for the purposes of clause 194(1)(b) of the Act, are the following:

- (a) NON-ARABLE (RANGE) LAND AND IMPROVEMENTS - 40%;
- (b) OTHER AGRICULTURAL LAND AND IMPROVEMENTS - 55%;
- (c) RESIDENTIAL - 70%;
- (d) MULTI-UNIT RESIDENTIAL - 70%;
- (e) SEASONAL RESIDENTIAL - 70%;
- (f) COMMERCIAL AND INDUSTRIAL - 100%;
- (g) ELEVATORS - 75%;
- (h) RAILWAY RIGHTS OF WAY AND PIPELINE - 75%.

6 Apr 2001 SR 14/2001 s4; 17 Dec 2004 SR 120/2004 s3; 2 Jan 2009 SR 133/2008 s3.

Minimum tax and base tax

5 The following classes of assessment of property are established for the purposes of minimum tax pursuant to section 258.9 of the Act and base tax pursuant to section 259 of the Act:

- (a) Agricultural, which includes land and improvements classified as Non-arable (Range) Land and Improvements and Other Agricultural Land and Improvements pursuant to section 3;
- (b) Residential, which includes land and improvements classified as Residential, Multi-unit Residential and Seasonal Residential pursuant to section 3;
- (c) Commercial and Industrial, which includes land and improvements classified as Commercial and Industrial, Elevators and Railway Rights of Way and Pipeline pursuant to section 3.

2 Jan 2009 SR 133/2008 s4.

Mill rate factors

6(1) For the 2009 and 2010 taxation years, the following classes of assessment of property are prescribed for the purposes of mill rate factors pursuant to section 258.4(1) of the Act:

- (a) **AGRICULTURAL**, which includes the assessments of land and improvements classified as **NON-ARABLE (RANGE) LAND AND IMPROVEMENTS** and **OTHER AGRICULTURAL LAND AND IMPROVEMENTS** pursuant to section 3;
- (b) **RESIDENTIAL**, which includes the assessments of land and improvements classified as **RESIDENTIAL, MULTI-UNIT RESIDENTIAL** and **SEASONAL RESIDENTIAL** pursuant to section 3;
- (c) **COMMERCIAL AND INDUSTRIAL**, which includes the assessments of land and improvements classified as **COMMERCIAL AND INDUSTRIAL, ELEVATORS, and RAILWAY RIGHTS OF WAY AND PIPELINE** pursuant to section 3, but does not include the assessments of land and improvements classified as **Hotels and Motels** pursuant to clause (d);
- (d) **HOTELS AND MOTELS**, which includes the assessments of land and improvements of:
 - (i) **FULLSERVICE HOTELS**, which includes only land or improvements used for or intended to be used for accommodations that are composed of multiple individual units that are typically rented, that include a structure of two or more floors with a lobby and that typically include meeting rooms, banquet rooms, dining rooms, restaurant facilities and lounge facilities;
 - (ii) **LIMITED SERVICE HOTELS**, which includes only land or improvements used for or intended to be used for accommodations that are composed of multiple individual units that are typically rented, that include a structure of two or more floors with a lobby and that typically include limited common area amenities, a restaurant and lounge facilities;
 - (iii) **GALLONAGE HOTELS**, which includes only land or improvements used for or intended to be used for accommodations that are composed of individual units that may be rented, that include a structure of two or more floors and that have a primary source of income that is a restaurant facility, a lounge facility or one or more video lottery terminals;
 - (iv) **MOTELS**, which includes only land or improvements used for or intended to be used for accommodations that are composed of multiple individual units that are typically rented and that include a structure of three or fewer floors with a lobby or an office and interior hall access or separate exterior access to individual units.

(2) For the 2011 and subsequent taxation years, the following classes of assessment of property are prescribed for the purposes of mill rate factors pursuant to subsection 258.4(1) of the Act:

- (a) AGRICULTURAL, which includes the assessments of land and improvements classified as NON-ARABLE (RANGE) LAND AND IMPROVEMENTS and OTHER AGRICULTURAL LAND AND IMPROVEMENTS pursuant to section 3;
- (b) RESIDENTIAL, which includes the assessments of land and improvements classified as RESIDENTIAL, MULTI-UNIT RESIDENTIAL and SEASONAL RESIDENTIAL pursuant to section 3;
- (c) COMMERCIAL AND INDUSTRIAL, which includes the assessments of land and improvements classified as COMMERCIAL AND INDUSTRIAL, ELEVATORS, and RAILWAY RIGHTS OF WAY AND PIPELINE pursuant to section 3.

24 Apr 2009 SR 40/2009 s2.

Assessor may determine

7(1) The municipal assessor, where one use is clearly distinct from the predominant use and is not integrated with or directly related to the predominant use, may:

- (a) determine that portions of any property that include more than one use, or portions of its assessment, belong to different classes established pursuant to these regulations; and
- (b) apportion the assessed value of the property among those classes.

(2) Pursuant to section 201 of the Act, if the assessor determines that portions of any property, or portions of its assessment, belong to different classes established pursuant to these regulations, property may be entered more than once in the assessment roll for the purpose of indicating the assessed value of each portion of the property within a class.

18 Oct 96 cN-5.1 Reg 12 s7; 2 Jan 2009 SR 133/2008 s6.

Date of classification

8(1) Subject to subsections (2) and (3), in each year as of January 1, property, and the assessments of properties, are to be classified as belonging to the classes established pursuant to these regulations.

(2) A new improvement or a newly subdivided parcel is to be classified as of the date that it is added to the assessment roll.

(3) If there is a change in the use of a property, the property is to be classified as of the date that the change is made to the assessment roll.

2 Jan 2009 SR 133/2008 s7.

VACANCY ADJUSTMENT

9 to 20 Repealed. 6 Apr 2001 SR 14/2001 s5.

TAX REVENUE FOR OTHER TAXING AUTHORITIES

21 to 22 Repealed. 6 Apr 2001 SR 14/2001 s5.

MAXIMUM PERCENTAGE FOR BUSINESS ASSESSMENT

23 Repealed. 6 Apr 2001 SR 14/2001 s5.

APPEALS TO SASKATCHEWAN MUNICIPAL BOARD

Appeals to board on commercial and industrial property

23.01 For the purposes of clause 240(1)(b) of the Act, the prescribed amount is \$1,000,000.

7 Apr 2000 SR 16/2000 s2; 2 Jan 2009 SR 133/2008 s8.

NOTICES

23.1 to 23.8 Repealed. 2 Jan 2009 SR 133/2008 s9.

Statement of account re school taxes

23.81(1) Form I of the Appendix is the form to be used for the interim statement of account required by section 260.8 of the Act.

(2) Form J of the Appendix is the form to be used for the annual statement of account required by section 260.8 of the Act.

(3) Form K of the Appendix is the form to be used by the revenue sharing account in submitting the monthly statement of account required by section 260.9 of the Act.

(4) Form L of the Appendix is the form to be used by towns and northern villages in submitting the monthly statement of account required by section 260.9 of the Act.

2 Jan 2009 SR 133/2008 s10.

Notice of appeal to board of revision

23.82 Form M of the Appendix is the form to be used as the notice of appeal to the board of revision pursuant to subclause 211(1)(c)(ii) and subsection 221(6) of the Act.

2 Jan 2009 SR 133/2008 s10.

Notice of appeal to Saskatchewan Municipal Board

23.83 Form N of the Appendix is the form to be used as the notice of appeal to the Saskatchewan Municipal Board pursuant to subsection 243(2) of the Act.

2 Jan 2009 SR 133/2008 s10.

Oath - member or secretary of board of revision

23.84 Form O of the Appendix is the form to be used for the official oath to be taken by a member of a board of revision and the secretary of a board of revision pursuant to subsection 216(5) of the Act.

2 Jan 2009 SR 133/2008 s10.

Public notice

23.85 For the purposes of clause 190(2)(k) of the Act, public notice of a matter is to be given at least seven days before the meeting at which the council will initially consider the matter by:

- (a) publishing a notice in a newspaper circulating in the northern municipality; and
- (b) posting a notice in a conspicuous place in the northern municipality.

2 Jan 2009 SR 133/2008 s11.

Sending of notices

23.9 Any notices required to be sent pursuant to these regulations may be sent by ordinary mail unless otherwise specified in the Act or these regulations.

21 Mar 97 SR 12/97 s4.

COMING INTO FORCE**Coming into force**

24(1) Sections 1 and 2 and this section come into force on the day on which these regulations are filed with the Registrar of Regulations.

(2) Subject to subsection (3), sections 3 to 8 come into force on the day on which subsections 194.02(2), 229.2(6), 229.3(3) and 229.4(3) and section 286.01 of the Act, as enacted by *The Northern Municipalities Amendment Act, 1996*, come into force.

(3) If these regulations are filed with the Registrar of Regulations after the day mentioned in subsection (2), sections 3 to 8 come into force on the day on which these regulations are filed with the Registrar of Regulations.

(4) Subject to subsection (5), sections 9 to 22 come into force on the day on which subsection 194.1(12) of the Act, as enacted by *The Northern Municipalities Amendment Act, 1996*, comes into force.

(5) If these regulations are filed with the Registrar of Regulations after the day mentioned in subsection (4), sections 9 to 22 come into force on the day on which these regulations are filed with the Registrar of Regulations.

(6) Subject to subsection (7), section 23 comes into force on the day on which subsection 195(1.2) of *The Northern Municipalities Act*, as enacted by *The Northern Municipalities Amendment Act, 1996*, comes into force.

(7) If these regulations are filed with the Registrar of Regulations after the day mentioned in subsection (6), section 23 comes into force on the day on which these regulations are filed with the Registrar of Regulations.

18 Oct 96 cN-5.1 Reg 12 s24.

Appendix**FORM A***[Section 23.1]***Notice of Preparation of Assessment Roll****Repealed.** 2 Jan 2009 SR 133/2008 s12.**FORM B***[Section 23.2]***Assessment Notice****Repealed.** 2 Jan 2009 SR 133/2008 s12.**FORM C***[Section 23.3]***Statement of Completion of Mailing of Assessment Notices****Repealed.** 2 Jan 2009 SR 133/2008 s12.**FORM D***[Section 23.4]***Notice of Appeal to the Board of Revision****Repealed.** 2 Jan 2009 SR 133/2008 s12.**FORM E***[Section 23.5]***Summons to Attend as a Witness****Repealed.** 2 Jan 2009 SR 133/2008 s12.**FORM F***[Section 23.6]***List of Appeals****Repealed.** 2 Jan 2009 SR 133/2008 s12.**FORM G***[Section 23.7]***Notice of Appeal to the Saskatchewan Municipal Board****Repealed.** 2 Jan 2009 SR 133/2008 s12.**FORM H***[Section 23.8]***Time and Place of Appeal****Repealed.** 2 Jan 2009 SR 133/2008 s12.

2009-2

**NORTHERN MUNICIPALITY
ASSESSMENT AND TAXATION**

N-5.1 REG 12

FORM I
[Subsection 23.81(1)]

Interim Statement of Account of School Taxes for the Period January 1 to August 31, _____

_____ in account with the _____
(name of northern municipality) (name of school division)

_____ (administrator's/clerk's name)

_____ (telephone no.)

_____ (fax no.)

PART I**Taxable Assessments and Mill Rates:**

School Division Uniform Mill Rate _____

	Taxable Assessment	*Adjusted Mill Rate	Current Levy (Gross)	**Bylaw Exempt Assessment
(N) Non-arable (range)				
(A) Other Agricultural				
(R) Residential				
(M) Multi-unit Residential				
(S) Seasonal Residential				
(C) Commercial and Industrial				
(E) Elevators				
(P) Railway Rights of Way and Pipeline				
Totals				
Provincial Education Property Tax Credit (PEPTC)				
Current Levy (Gross) Less PEPTC				
Has the assessment roll been confirmed by SAMA? <input type="checkbox"/> Yes <input type="checkbox"/> No				(equal to Item II)

*If the adjusted mill rate differs from the school division uniform mill rate, please attach an explanation/calculation of how the adjusted mill rate was determined.

**Exemptions by municipal bylaw that affect the school portion of property taxes pursuant to section 259.3 of The Northern Municipalities Act.

PART II

<p>1 Due from School January 1</p> <p>2 Payments to School for the period ending August 31:</p> <table border="0"> <tr><td>J</td><td></td><td>F</td><td></td></tr> <tr><td>M</td><td></td><td>A</td><td></td></tr> <tr><td>M</td><td></td><td>J</td><td></td></tr> <tr><td>J</td><td></td><td>A</td><td></td></tr> </table> <p align="right">(total payments)</p> <p>3 Discounts Given on Taxes</p> <p>4 Penalty Rebates Given</p> <p>5 Loss on Sale of Tax Title Property</p> <p>6 Share of Approved Tax Collection Costs</p> <p>7 Taxes Cancelled/Abatements</p> <p>8 Due to School as of August 31</p> <p align="right">Total</p> <p>17 Total Cash Received (Collected) on Behalf of this School Division for the period ending August 31</p>	J		F		M		A		M		J		J		A		<p>9 Due to School January 1</p> <p>10 Gross Penalty Added to Tax Arrears</p> <p>11 Current Levy (Gross) Less PEPTC</p> <p>12 Penalty on Current Year Taxes</p> <p>13 Share of Trailer Licence Fees</p> <p>14 Share of Grants-in-Lieu of Taxes:</p> <p align="center">Federal Government/Agencies</p> <p align="center">Provincial Government/Agencies</p> <p align="center">C.P.R.</p> <p align="center">Housing Authorities</p> <p>15</p> <p>16 Due from School as of August 31</p> <p align="right">Total</p>
J		F															
M		A															
M		J															
J		A															

I hereby certify that the above statement is correct.

Dated this _____ day of September, _____.

(Signature)

Interim Statement of Account of School Taxes for the Period January 1 to August 31, _____

_____ in account with the _____
(name of northern municipality) (name of school division)**PART III: Detailed Statement of School Taxes Cancelled/Abated as of August 31, _____**

Name	Legal Description	Amount of Taxes Cancelled	Years During Which Cancelled Taxes Were Levied	Explanation or Reason
18 Total Taxes Cancelled/Abated			(equal to Item 7)	

PART IV: Details of Balance of Liability at August 31:

19	Due on Account of Collections of School Taxes, Trailer Licence Fees, and Grants-in-lieu of Taxes -----	
20	Due on Account of Uncollected Taxes -----	
21	Due on Account of Tax Title Property: ----- Sold and Collections not Remitted	
	----- Unsold -----	
22		Total (equal to Item 8)
23	Estimated Amount of Uncollectible Tax Arrears	

THIS STATEMENT IS TO BE FILED WITH THE SCHOOL DIVISION AND THE SASKATCHEWAN ASSESSMENT MANAGEMENT AGENCY
NO LATER THAN SEPTEMBER 15 OF EACH YEAR.

2009-2

**NORTHERN MUNICIPALITY
ASSESSMENT AND TAXATION**

N-5.1 REG 12

FORM J
[Subsection 23.81(2)]

Annual Statement of Account of School Taxes for the Year _____

_____ in account with the _____
 (name of northern municipality) (name of school division)

_____ (administrator's/clerk's name) _____ (telephone no.) _____ (fax no.)

PART I:

Taxable Assessments and Mill Rates:	School Division Uniform Mill Rate		
Taxable Assessment	*Adjusted Mill Rate	Current Levy (Gross)	**Bylaw Exempt Assessment
(N) Non-arable (range)			
(A) Other Agricultural			
(R) Residential			
(M) Multi-unit Residential			
(S) Seasonal Residential			
(C) Commercial and Industrial			
(E) Elevators			
(P) Railway Rights of Way and Pipeline			
Totals			
Provincial Education Property Tax Credit (PEPTC)			
Current Levy (Gross) Less PEPTC			
*If the adjusted mill rate differs from the school division uniform mill rate, please attach an explanation calculation of how the adjusted mill rate was determined. **Exemptions by municipal bylaw that affect the school portion of property taxes pursuant to section 259.3 of <i>The Northern Municipalities Act</i> .			

(equal to item 11)

PART II

1 Due from School January 1 _____ 2 Payments to School During Year: <div style="display: flex; justify-content: space-between;"> <div> J _____ F _____ M _____ A _____ M _____ J _____ J _____ A _____ S _____ O _____ N _____ D _____ </div> <div style="border: 1px solid black; padding: 5px; text-align: center;">(total payments)</div> </div> 3 Discounts Given on Taxes _____ 4 Penalty Rebates Given _____ 5 Loss on Sale of Tax Title Property _____ 6 Share of Approved Tax Collection Costs _____ 7 Taxes Cancelled Abatements _____ 8 Due to School December 31 _____ <div style="text-align: right;">Total</div>	9 Due to School January 1 _____ 10 Gross Penalty Added to Tax Arrears _____ 11 Current Levy (Gross) Less PEPTC _____ 12 Penalty on Current Year Taxes _____ 13 Share of Trailer Licence Fees _____ 14 Share of Grants-in-Lieu of Taxes: Federal Government/Agencies _____ Provincial Government/Agencies _____ C.P.R. _____ Housing Authorities _____ 15 _____ 16 Due from School December 31 _____ <div style="text-align: right;">Total</div>
17 Total Cash Received (Collected) on Behalf of this School Division for the Year _____	

I hereby certify that the above statement is correct.

Dated this _____ day of January, _____.

 (Signature)

Statement of Account of School Taxes for the Year _____

_____ in account with the _____
 (name of northern municipality) (name of school division)

PART III: Detailed Statement of School Taxes Cancelled/Abated for the Year _____

Name	Legal Description	Amount of Taxes Cancelled	Years During Which Cancelled Taxes Were Levied	Explanation or Reason
18 Total Taxes Cancelled/Abated			(equal to item 7)	

PART IV: Details of Balance of Liability at December 31:

19 Due on Account of Collections of School Taxes, Trailer Licence Fees, and Grants-in-lieu of Taxes -----	
20 Due on Account of Uncollected Taxes -----	
21 Due on Account of Tax Title Property: ----- Sold and Collections not Remitted	
----- Unsold -----	
22	Total (equal to Item 8)
23 Estimated Amount of Uncollectible Tax Arrears	

THIS STATEMENT IS TO BE FILED WITH THE SCHOOL DIVISION AND THE SASKATCHEWAN ASSESSMENT MANAGEMENT AGENCY
 NO LATER THAN JANUARY 15 OF EACH YEAR.

2009-2

NORTHERN MUNICIPALITY
ASSESSMENT AND TAXATION

N-5.1 REG 12

FORM K
[Subsection 23.81(3)]

Monthly Statement of Account of School Taxes

Northern Revenue Sharing Trust Account in account with the _____
(name of school division)

(administrator's / clerk's name)

(telephone no.)

(fax no.)

This is to certify that school division taxes have been collected during this month

of _____, _____, as follows:
(month) (year)

Gross School Division taxes collected before penalties or discounts \$ _____

Other Collections:

Grants in lieu of taxes (provincial - schedule attached) \$ _____

Grants in lieu of taxes (federal - schedule attached) \$ _____

Share of tax title property sale proceeds (schedule attached) \$ _____

Other (explanation / schedule attached) \$ _____

LESS: Current Levy Discounts (_____ %) \$ _____

Penalty rebates (schedule attached - 50% of penalty \$ _____

if collection made by June 30th) \$ _____

Credit Card Fee (school division's share, schedule attached) \$ _____

TOTAL COVERED BY CHEQUE ENCLOSED \$ _____

Adjustments (Provide written details.

For example: abatements, cancellations, tax collection costs, etc.) \$ _____

Dated at _____, Saskatchewan, this _____, day of _____, 20 ____.

(Administrator / Clerk)

NOTE:

As per section 260.9 of *The Northern Municipalities Act*, this form is to be completed and mailed to the School Division together with the Northern Revenue Sharing Trust Account's cheque on or before the 10th day of each month, except in the months of January and September.

A consolidated monthly statement is to be completed for each month.

If there are no collections in any month submit a 'NIL' report.

Copy 1 - Mail to School Division.

Copy 2 - Retain on file for Municipal Auditor.

FORM L
[Subsection 23.81(4)]

Monthly Statement of Account of School Taxes

_____ in account with the _____
(name of Northern Municipality) *(name of school division)*

_____ *(administrator's / clerk's name)* _____ *(telephone no.)* _____ *(fax no.)*

This is to certify that this municipality has collected school division taxes during this month

of _____, _____, as follows:
(month) *(year)*

Gross School Division taxes collected before penalties or discounts \$ _____

Other Collections:

Grants in lieu of taxes \$ _____
 Share of tax title property sale proceeds \$ _____
 Other (explanation) \$ _____

Penalties collected during month \$ _____

LESS: Current Levy Discounts (%) \$ _____

TOTAL COVERED BY CHEQUE ENCLOSED \$ _____

Adjustments *(Provide written details.*

For example: abatements, cancellations, tax collection costs, etc.)

\$ _____

Dated at _____, Saskatchewan, this _____, day of _____, 20 ____.

(Administrator / Clerk)

NOTE:

As per section 260.9 of *The Northern Municipalities Act*, this form is to be completed and mailed to the School Division together with the municipality's cheque on or before the 10th day of each month, except in the months of January and September.

A separate monthly statement is to be completed for each month.

If there are no collections in any month submit a 'NIL' report.

Copy 1 - Mail to School Division.

Copy 2 - Retain on file for Municipal Auditor

2009-2

NORTHERN MUNICIPALITY
ASSESSMENT AND TAXATION

N-5.1 REG 12

FORM M
[Section 23.82]

Notice of Appeal to the Board of Revision

To the Secretary of the Board of Revision of the
municipality of _____, Saskatchewan.
(name of municipality)

I choose the: ☐ Simplified appeal process
☐ Regular appeal process

I appeal against the: *(check beside those that apply)*

- ☐ property valuation (land valuation or improvement valuation or both)
☐ property classification (land classification or improvement classification
or both)
☐ exemption
☐ preparation or content of the assessment roll
☐ notice of assessment (assessed value or taxable assessment)

of the following property _____
(legal land description, civil address, assessment roll number or alternate)

on the following grounds, and, in support of these grounds, I state the following
material facts to be true and accurate:

1 Ground of Appeal

Supporting material facts:

2 Ground of Appeal

Supporting material facts:

3 Ground of Appeal

Supporting material facts:

*(Attach extra sheets if necessary)*I request that the following change(s) be made to the assessment roll *(if known)*:*(Attach extra sheets if necessary)*

I discussed my appeal with _____ of the municipality

(assessor's/officer's name)

on _____ and the following is a summary of that discussion:

*(month/day/year)**(Include the outcome of the discussion and any details of the facts or issues agreed to by the parties)***OR**I have not discussed my appeal with the municipality's assessor for the following reasons: *(Provide reasons why no discussion was held)* *(Attach extra sheets if necessary)*

My address for the service of notice in connection with this appeal is:

*(name)*_____
*(street)*_____
(city/town/etc.) *(province)* *(postal code)*

I can also be reached at the following telephone numbers:

() _____ and () _____
(home) *(business)*Dated this _____ day of _____, 20 ____ .
(day) *(month)*

Assessment Value under Appeal: \$ _____

(Appellant's Signature) \$ _____
(Enclosed Appeal Fee)

If the municipality has established an appeal fee by bylaw, the fee must accompany this notice.

Section 226 of *The Northern Municipalities Act* does not apply to the simplified appeal process.

2009-2

NORTHERN MUNICIPALITY
ASSESSMENT AND TAXATION

N-5.1 REG 12

FORM N
[Section 23.83]**Notice of Appeal to the Saskatchewan Municipal Board**

To the secretary of the Saskatchewan Municipal Board:

I appeal the decision (or failure to render a decision) of the board of revision for the municipality of _____ to the Saskatchewan Municipal Board respecting the:

(check beside those that apply)

- ☐ property valuation (land valuation or improvement valuation or both)
- ☐ property classification (land classification or improvement classification or both)
- ☐ exemption
- ☐ designation of school support
- ☐ notice of assessment

of _____
(legal land description) (assessment or alternate number)

(street address, if applicable)

Taxable assessment value under appeal: \$ _____

My grounds for appeal are as follows:

(Attach additional pages if necessary)

Contact person for this appeal:

Property Owner(s): _____ Agent or other appellant: _____

Mailing Address: _____ Firm: _____

_____ Mailing Address: _____

Telephone No: _____ Telephone No: _____
(home) (home)

_____ (business) _____ (business)

Fax No: _____ Fax No: _____

Dated this _____ day of _____, 20 ____ .
(day) (month)

_____ \$ _____
(Appellant's Signature) (Enclosed Appeal Fee)

Note: The appellant must serve this Notice of Appeal on the secretary of the Saskatchewan Municipal Board (SMB). The prescribed appeal fee, payable to the SMB, must accompany this notice. Information on appeal fees may be obtained from the SMB. On receipt of this notice, the secretary of the SMB must serve a copy of this notice on every party to the appeal other than the appellant and provide a copy of this notice to the secretary of the board of revision.

2 Jan 2009 SR 133/2008 s12.

FORM O
[Section 23.84]
Oath - member or secretary of board of revision

I, _____, having been appointed to the office
of _____ of the board of revision for the _____
(member / secretary)
of _____,

DO SOLEMNLY PROMISE AND DECLARE THAT:

- 1** I will truly, faithfully and impartially, to the best of my knowledge and ability, perform the duties of this office;
- 2** I have not received and will not receive any payment or reward, or promise of payment or reward, for the exercise of any corrupt practice or other undue execution of this office;
- 3** I am not for any reason disqualified from holding this office.

DECLARED before me at

_____, Saskatchewan

Signature of Declarant

this ___ day of _____, 20 __.

A Commissioner, etc. (or as the case may be)

2 Jan 2009 SR 133/2008 s12.

The Occupational Health and Safety Regulations, 1996

being

Chapter O-1.1 Reg 1 (effective December 4, 1996, except for Part XXXII, effective December 4, 1997) as amended by Saskatchewan Regulations 6/97, 35/2003, 112/2005, 67/2007, 91/2007, 109/2008, 18/2009 and 54/2009.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER O-1.1 REG 1

The Occupational Health and Safety Act, 1993

PART I

Preliminary Matters**Title**

1 These regulations may be cited as *The Occupational Health and Safety Regulations, 1996*.

Interpretation

2(1) In these regulations and in all other regulations made pursuant to the Act:

- (a) **"Act"** means *The Occupational Health and Safety Act, 1993*;
- (b) **"air-purifying respirator"** means a respirator that removes airborne contaminants from the air inhaled by a worker;
- (c) **"approved"** means:
 - (i) approved by an agency acceptable to the director for use under the conditions prescribed by the agency; or
 - (ii) approved conditionally or otherwise by a certificate of the director;
- (d) **"atmosphere-supplying respirator"** means a respirator that delivers clean breathing air to a worker from a compressor or a cylinder, an SCBA, whether closed or open circuit, or a combination of SCBA and supplied air;
- (e) **"borehole"** means a mechanically drilled hole in the ground;
- (f) **"building shaft"** means a continuous vertical space substantially enclosed on all sides that extends for two or more floors, and includes an elevator shaft, a ventilation shaft, a stairwell and a service shaft;
- (g) **"class A qualification"** means a certificate or certificates that:
 - (i) are issued by an agency, as defined in section 50, with respect to the successful completion of a first aid training course and a cardiopulmonary resuscitation training course that meet the minimum requirements for course duration and content set out in Table 1 of the Appendix; and
 - (ii) qualify the holder to perform the services set out in Table 2 of the Appendix;
- (h) **"class B qualification"** means a certificate or certificates that:
 - (i) are issued by an agency, as defined in section 50, with respect to the successful completion of a first aid training course and a cardiopulmonary resuscitation training course that meet the minimum requirements for course duration and content set out in Table 3 of the Appendix; and

- (ii) qualify the holder to perform the services set out in Table 4 of the Appendix;
- (i) **"Class C fire"** means a fire involving energized electrical equipment;
- (j) **"co-chairpersons"** means, with respect to a committee, the employer or contractor co-chairperson appointed pursuant to clause 43(1)(b) and the worker co-chairperson elected pursuant to clause 43(1)(a);
- (k) **"committee"** means an occupational health committee;
- (l) **"competent"** means possessing knowledge, experience and training to perform a specific duty;
- (m) **"competent worker"**, with respect to a particular task or duty, includes a worker who is being trained to perform that task or carry out that duty and who is under close and competent supervision during that training;
- (n) **"connecting linkage"** means a lanyard, safety hook, cable or connector inserted between a personal fall arrest system and the D-ring on a worker's full-body harness;
- (o) **"construction"** means the erection, alteration, renovation, repair, dismantling, demolition, structural maintenance and painting of a structure, and includes:
 - (i) land clearing, earth moving, grading, excavating, trenching, digging, boring, drilling, blasting and concreting; and
 - (ii) the installation of any plant;
- (p) **"controlled product"** means a controlled product within the meaning of the *Hazardous Products Act* (Canada);
- (q) **"dBA"** means the sound pressure level in decibels measured on the A scale of a sound level meter;
- (r) **"dBA L_{ex}"** means the level of a worker's total exposure to noise, in dBA, averaged over an entire workday and adjusted to an equivalent eight-hour exposure;
- (s) **"designated signaller"** means a worker designated pursuant to clause 132(1)(a) to give signals;
- (t) **"emergency medical technician"** means a person who is licensed as an emergency medical technician, emergency medical technician-advanced or emergency medical technician-paramedic pursuant to *The Ambulance Act*;
- (u) **"escape respirator"** means an atmosphere-supplying respirator or an air-purifying respirator that is designed to be used by a worker for escape purposes only;
- (v) **"excavated shaft"** means a dug-out passage into the ground, the longest dimension of which exceeds 1.5 metres and of which the acute angle between the axis of the longest dimension and the vertical is less than 45°;
- (w) **"excavation"** means any dug-out area of ground other than a trench, tunnel or excavated shaft;

- (x) **Repealed.** 10 Aug 2007 SR 67/2007 s3.
- (y) **“first aid”** means immediate assistance given in case of injury until medical aid has been obtained;
- (z) **“first aid attendant”** means the holder of a valid:
- (i) class A qualification;
 - (ii) class B qualification;
 - (iii) emergency medical technician’s licence; or
 - (iv) licence, certificate or other qualification that, in the opinion of the director, is equivalent to or superior to a qualification set out in subclauses (i) to (iii);
- (aa) **“first aid register”** means the register required by section 57;
- (bb) **“first aid station”** means a work-related area containing the supplies and equipment required by subsection 56(1);
- (bb.1) **“forklift”** means a self-propelled machine that has a power-operated upright, angled or telescoping lifting device that can raise and lower a load for the purpose of transporting or stacking;
- (cc) **“full-body harness”** means a safety device that is capable of suspending a worker without causing the worker to bend at the waist, and consists of straps that pass over the worker’s shoulders and around the worker’s legs, an upper dorsal suspension assembly and all integral hardware;
- (dd) **“hand tool”** means hand-held equipment that is powered by the energy of a worker;
- (ee) **“harmful”** means known to cause harm or injury;
- (ff) **“hazardous”** means likely to cause harm or injury in certain circumstances;
- (gg) **“HEPA filter”** means a high-efficiency particulate aerosol filter that is at least 99.97% efficient in collecting a 0.3 micrometre aerosol;
- (hh) **“hoist”** means a machine that consists of a raising and lowering mechanism;
- (ii) **“immediately dangerous to life or health”** means a condition in which a hazardous atmosphere exists to such an extent that a worker who is not using an approved respiratory protective device will suffer escape-impairing or irreversible health effects if the worker does not leave the hazardous atmosphere within 30 minutes;
- (jj) **“instruct”** means to give information and direction to a worker with respect to particular subject-matter;
- (kk) **“lifeline”** means a length of rope or strap that is attached to a safe point of anchorage at one end or, in the case of a horizontal lifeline, at both ends to provide support and a guide for a personal fall arrest system or personnel lowering device;
- (ll) **“locked out”** means to have isolated the energy source or sources from equipment, to have dissipated any residual energy in a system and to have secured the isolation by a device that is operated by a key or other process;

- (mm) **“machine”** means any combination of mechanical parts that transmits from one part to another or otherwise modifies force, motion or energy;
- (nn) **“maintained”** means kept in a condition of efficient and safe functioning by a system of regular examination, testing and servicing or repair;
- (oo) **“The Mines Regulations”** means *The Mines Regulations, 2003*;
- (pp) **“officer”** means an occupational health officer;
- (qq) **“operator”** means a person who operates any equipment;
- (qq.1) **“percutaneous”** means a route of entry that is through the skin or mucous membrane, and includes subcutaneous, intramuscular and intravascular routes of entry;
- (qq.2) **“personal fall arrest system”** means personal protective equipment that provides a means of safely arresting the fall of a worker and that, subsequent to the arrest of the fall, does not by itself permit the further release or lowering of the worker;
- (rr) **“personal protective equipment”** means any clothing, device or other article that is intended to be worn or used by a worker to prevent injury or to facilitate rescue;
- (ss) **“personnel lowering device”** means a device that provides a means of lowering a worker from a height at a controlled rate of descent;
- (tt) **“power tool”** means a hand-held machine that is powered by energy other than the energy of a worker;
- (uu) **“powered mobile equipment”** means a self-propelled machine or a combination of machines, including a prime mover, that is designed to manipulate or move materials or to provide a work platform for workers;
- (vv) **“professional engineer”** means an engineer who is registered pursuant to *The Engineering Profession Act*;
- (ww) **“public highway”** means a public highway as defined in *The Highways and Transportation Act*;
- (xx) **“qualified”** means possessing a recognized degree, a recognized certificate or a recognized professional standing and demonstrating, by knowledge, training and experience, the ability to deal with problems related to the subject-matter, the work or the project;
- (yy) **“representative”** means an occupational health and safety representative;
- (zz) **“respiratory protective device”** means a device that is designed to protect a wearer from inhaling a hazardous atmosphere, and includes an atmosphere-supplying respirator, an air-purifying respirator and an escape respirator;
- (aaa) **“safeguard”** means a guard, shield, wire mesh, guardrail, gate, barrier, safety net, handrail or other similar equipment that is designed to protect the safety of workers, but does not include personal protective equipment;
- (bbb) **Repealed.** 10 Aug 2007 SR 67/2C07 s3.

- (ccc) **“SCBA”** means self-contained breathing apparatus;
- (ddd) **“supervisor”** means a person who is authorized by an employer to oversee or direct the work of workers;
- (eee) **“train”** means to give information and explanation to a worker with respect to a particular subject-matter and require a practical demonstration that the worker has acquired knowledge or skill related to the subject-matter;
- (fff) **“travelway”** means any place where workers or vehicles regularly travel or pass, and includes a ramp, runway, catwalk, bridge, conveyor, gantry or passage;
- (ggg) **“trench”** means an elongated dug-out area of land whose depth exceeds its width at the bottom;
- (hhh) **“tunnel”** means an underground passage that has an incline of not more than 45° from the horizontal;
- (iii) **“vehicle”** means a machine in, on or by which a person or thing may be transported, and includes powered mobile equipment;
- (jjj) **“work”** and **“at work”** means:
- (i) the time during which a worker is in the course of the worker's employment; or
 - (ii) the time that a self-employed person devotes to work as a self-employed person;
- (kkk) **“work-related area”** means all places that are ancillary to a place of employment, and includes lunchrooms, restrooms, first aid rooms, lecture rooms, parking lots under the control of the employer or contractor, offices and work camp living accommodations, but does not include a permanent living accommodation.
- (2) For the purposes of the Act and in these regulations and all other regulations made pursuant to the Act, **“injury”** includes any disease and any impairment of the physical or mental condition of a person.
- (3) Any word or expression used but not defined in these regulations or the Act has the meaning commonly given to it at places of employment in the industry concerned.
- (4) Unless otherwise expressly stated:
- (a) lumber sizes specified in these regulations are lumber sizes after dressing; and
 - (b) **“lumber”** means lumber that is free of visible defects.

4 Oct 96 cO-1.1 Reg 1 s2; 31 Jan 97 SR 6/97 s3;
16 May 2003 SR 35/2003 s3; 4 Nov 2005 SR
112/2005 s3; 10 Aug 2007 SR 67/2007 s3.

Giving notice to division

- 4(1) Subject to subsection (3), where these regulations require notice to be given to the division, the notice must be in writing, directed to the director or an officer and delivered to the director or officer personally or by fax, courier or post.
- (2) Notice is deemed not to have been given pursuant to subsection (1) until the notice is actually received by the director or an officer.
- (3) In the case of a notice required pursuant to clause 8(1)(a), an employer or contractor shall first give notice by telephoning an officer and, in addition, give written notice in the manner set out in subsection (1).

4 Oct 96 cO-1.1 Reg 1 s4.

Generality of duties not limited

- 5(1) A specific duty imposed by these regulations does not limit the generality of any other duty imposed by the Act or other regulations made pursuant to the Act.
- (2) A duty or requirement imposed on an employer or a worker by these regulations applies, with any necessary modification, to a self-employed person.
- (3) A provision of these regulations that prohibits a worker from carrying out a specified action applies, with any necessary modification, to an employer or a self-employed person.
- (4) A provision of these regulations that requires an employer to ensure that a worker carries out or refrains from carrying out a specified action is deemed to require a self-employed person or an employer who engages in an occupation at a place of employment to carry out or refrain from carrying out that action, as the case may require.
- (5) Where a provision of these regulations imposes a duty or requirement on more than one person, the duty or requirement is meant to be imposed primarily on the person with the greatest degree of control over the matters that are the subject of the duty or requirement.
- (6) Notwithstanding subsection (5) but subject to subsection (8), if the person with the greatest degree of control fails to comply with a provision described in subsection (5), the other persons are not relieved of the obligation to comply with the provision if it is possible for them to comply, and they shall comply with the provision.
- (7) If the person with the greatest degree of control complies with a provision described in subsection (5), the other persons are relieved of the obligation to comply with the provision:
 - (a) only for the time in which the person with the greatest degree of control is in compliance with the provision;
 - (b) only if simultaneous compliance by more than one person would result in unnecessary duplication of effort and expense; and
 - (c) only if the health and safety of workers is not put at risk by compliance by only one person.

(8) If the person with the greatest degree of control fails to comply with a provision described in subsection (5) but one of the other persons complies with the provision, the other persons, if any, to whom the provision applies are relieved of the obligation to comply with the provision in the circumstances set out in clauses (7)(a) to (c), with any necessary modification.

(9) Where a provision of these regulations imposes a duty or requirement on a person to ensure that another person carries out or refrains from carrying out a specified action, the person on whom the duty or requirement is placed has complied with the provision if that person establishes that he or she took all reasonable steps to ensure that the second person carried out or refrained from carrying out the specified act.

4 Oct 96 cO-1.1 Reg 1 s5.

Certification by professional engineer

6 Where a provision in these regulations requires a certification by a professional engineer, the certification must be in writing and must bear the official stamp or seal of the engineer.

4 Oct 96 cO-1.1 Reg 1 s6.

PART II
Notice Requirements

New operations

7(1) As soon as is reasonably possible, an employer, contractor or owner shall give notice to the division of the intention to:

- (a) begin work at a construction site, manufacturing plant or processing plant where 10 or more workers are to be employed for six months or more;
- (b) dig an excavation, a trench or an excavated shaft:
 - (i) that is more than five metres deep; and
 - (ii) that a worker will be required or permitted to enter; or
- (c) dig a tunnel that a worker will be required or permitted to enter.

(2) Not later than 14 days before beginning the process, an employer, contractor or owner shall give notice to the division of the intention to begin a high risk asbestos process listed in Table 5 of the Appendix.

(3) A notice required by subsection (1) or (2) must include:

- (a) the legal name and business name of the employer, contractor or owner;
- (b) the location of the site, plant, process or place of employment;
- (c) the mailing address of the employer, contractor or owner;
- (d) the nature of the work or process to be undertaken;
- (e) the number of workers to be employed;

- (f) the telephone number and fax number of the employer, contractor or owner; and
- (g) the estimated starting date and expected duration of the work or process.

4 Oct 96 cO-1.1 Reg 1 s7.

Accidents causing serious bodily injury

8(1) An employer or contractor shall give notice to the division as soon as is reasonably possible of every accident at a place of employment that:

- (a) causes or may cause the death of a worker; or
 - (b) will require a worker to be admitted to a hospital as an in-patient for a period of 72 hours or more.
- (2) The notice required by subsection (1) must include:
- (a) the name of each injured or deceased worker;
 - (b) the name of the employer of each injured or deceased worker;
 - (c) the date, time and location of the accident;
 - (d) the circumstances related to the accident;
 - (e) the apparent injuries; and
 - (f) the name, telephone number and fax number of the employer or contractor or a person designated by the employer or contractor to be contacted for additional information.
- (3) An employer or contractor shall provide each co-chairperson or the representative with a copy of the notice required by subsection (1).

4 Oct 96 cO-1.1 Reg 1 s8.

Dangerous occurrences

9(1) In this section, "**dangerous occurrence**" means any occurrence that does not result in, but could have resulted in, a condition or circumstance set out in subsection 8(1), and includes:

- (a) the structural failure or collapse of:
 - (i) a structure, scaffold, temporary falsework or concrete formwork; or
 - (ii) all or any part of an excavated shaft, tunnel, caisson, coffer dam, trench or excavation;
- (b) the failure of a crane or hoist or the overturning of a crane or unit of powered mobile equipment;
- (c) an accidental contact with an energized electrical conductor;
- (d) the bursting of a grinding wheel;
- (e) an uncontrolled spill or escape of a toxic, corrosive or explosive substance;
- (f) a premature detonation or accidental detonation of explosives;
- (g) the failure of an elevated or suspended platform; and
- (h) the failure of an atmosphere-supplying respirator.

(2) An employer, contractor or owner shall give notice to the division as soon as is reasonably possible of any dangerous occurrence that takes place at a place of employment, whether or not a worker sustains injury.

(3) A notice required by subsection (2) must include:

- (a) the name of each employer, contractor and owner at the place of employment;
- (b) the date, time and location of the dangerous occurrence;
- (c) the circumstances related to the dangerous occurrence; and
- (d) the name, telephone number and fax number of the employer, contractor or owner or a person designated by the employer, contractor or owner to be contacted for additional information.

(4) An employer, contractor or owner shall provide each co-chairperson or the representative with a copy of the notice required by subsection (2).

4 Oct 96 cO-1.1 Reg 1 s9.

Medical information

10(1) Subject to subsection 21(2), no person who acquires information of a personal medical nature with respect to a worker pursuant to these regulations shall disclose that information except:

- (a) to the worker;
- (b) to the chief occupational medical officer;
- (c) with the informed consent of the worker, to another person; or
- (d) where otherwise required by law.

(2) A physician who attends or treats a worker who is suffering from or believed to be suffering from a medical condition that is related to the present or past employment of the worker and is listed in Table 6 of the Appendix shall, without undue delay, inform the director of:

- (a) the medical condition from which the worker is believed to be suffering; and
- (b) the name and address of the most recent place of employment where exposure related to the medical condition is believed to have occurred.

4 Oct 96 cO-1.1 Reg 1 s10.

Report re injuries

11 On the minister's request, an employer shall provide to the division, or to any other agency that may be designated by the minister, a report setting out details of all person-hours worked and all work-related injuries during the preceding year.

4 Oct 96 cO-1.1 Reg 1 s11.

PART III General Duties

General duties of employers

12 The duties of an employer at a place of employment include:

- (a) the provision and maintenance of plant, systems of work and working environments that ensure, as far as is reasonably practicable, the health, safety and welfare at work of the employer's workers;
- (b) arrangements for the use, handling, storage and transport of articles and substances in a manner that protects the health and safety of workers;
- (c) the provision of any information, instruction, training and supervision that is necessary to protect the health and safety of workers at work; and
- (d) the provision and maintenance of a safe means of entrance to and exit from the place of employment and all worksites and work-related areas in or on the place of employment.

4 Oct 96 cO-1.1 Reg 1 s12.

General duties of workers

13 A worker shall:

- (a) use the safeguards, safety appliances and personal protective equipment provided in accordance with these regulations and any other regulations made pursuant to the Act; and
- (b) follow the safe work practices and procedures required by or developed pursuant to these regulations and any other regulations made pursuant to the Act.

4 Oct 96 cO-1.1 Reg 1 s13.

Employment of young persons

14(1) An employer or contractor shall ensure that no person under the age of 16 years is employed or permitted to work:

- (a) on a construction site;
- (b) in a production process at a pulp mill, sawmill or woodworking establishment;
- (c) in a production process at a smelter, foundry, refinery or metal processing or fabricating operation;
- (d) in a confined space;
- (e) in a production process in a meat, fish or poultry processing plant;
- (f) in a forestry or logging operation;
- (g) on a drilling or servicing rig;
- (h) as an operator of powered mobile equipment, a crane or a hoist;
- (i) where exposure to a chemical or biological substance is likely to endanger the health or safety of the person; or
- (j) in power line construction or maintenance.

(2) An employer or contractor shall ensure that no person under the age of 18 years is employed:

- (a) underground or in an open pit at a mine;
- (b) as a radiation worker;
- (c) in an asbestos process as defined in section 330;
- (d) in a silica process as defined in section 346; or
- (e) in any activity for which these regulations or any other regulations made pursuant to the Act require the use of an atmosphere-supplying respirator.

4 Oct 96 cO-1.1 Reg 1 s14.

Duty of employer or contractor to provide information

15 An employer or contractor shall:

- (a) make readily available for reference by workers a copy of:
 - (i) the Act;
 - (ii) any regulations made pursuant to the Act that apply to the place of employment or to any work done there; and
 - (iii) any standards adopted in the regulations that address work practices or procedures and that apply to the place of employment or to any work done there; and
- (b) where the information mentioned in clause (a) or in section 9 of the Act will be posted, provide a suitable bulletin board to be used primarily to post information on health and safety related to the place of employment.

4 Oct 96 cO-1.1 Reg 1 s15.

Duty of contractor to inform

16(1) A contractor shall give notice in writing to every employer, worker or self-employed person at the place of employment, setting out:

- (a) the name of the person who is supervising the work on behalf of the contractor;
 - (b) any emergency facilities provided by the contractor for the use of the employers' workers or self-employed persons; and
 - (c) the existence of a committee or representative, if any, at the place of employment and the means to contact the committee or representative.
- (2) Subsection (1) applies only to contractors at major construction projects and to contractors involved in those activities to which Part XXIX applies.

4 Oct 96 cO-1.1 Reg 1 s16.

Supervision of work

17(1) An employer or contractor shall ensure that:

- (a) all work at a place of employment is sufficiently and competently supervised;

- (b) supervisors have sufficient knowledge of all of the following with respect to matters that are within the scope of the supervisor's responsibility:
 - (i) the Act and any regulations made pursuant to the Act that apply to the place of employment;
 - (ii) any occupational health and safety program at the place of employment;
 - (iii) the safe handling, use, storage, production and disposal of chemical and biological substances;
 - (iv) the need for, and safe use of, personal protective equipment;
 - (v) emergency procedures required by these regulations;
 - (vi) any other matters that are necessary to ensure the health and safety of workers under their direction; and
 - (c) supervisors comply with the Act and any regulations made pursuant to the Act that apply to the place of employment and ensure that the workers under their direction comply with the Act and those regulations.
- (2) A supervisor shall ensure that the workers under the supervisor's direction comply with the Act and any regulations made pursuant to the Act that apply to the place of employment.

4 Oct 96 cO-1.1 Reg 1 s17.

Duty to inform workers

18 An employer shall ensure that each worker:

- (a) is informed of the provisions of the Act and any regulations pursuant to the Act that apply to the worker's work at the place of employment; and
- (b) complies with the Act and those regulations.

4 Oct 96 cO-1.1 Reg 1 s18.

Training of workers

19(1) An employer shall ensure that a worker is trained in all matters that are necessary to protect the health and safety of the worker when the worker:

- (a) begins work at a place of employment; or
 - (b) is moved from one work activity or worksite to another that differs with respect to hazards, facilities or procedures.
- (2) The training required by subsection (1) must include:
- (a) procedures to be taken in the event of a fire or other emergency;
 - (b) the location of first aid facilities;
 - (c) identification of prohibited or restricted areas;
 - (d) precautions to be taken for the protection of the worker from physical, chemical or biological hazards;

- (e) any procedures, plans, policies and programs that the employer is required to develop pursuant to the Act or any regulations made pursuant to the Act that apply to the worker's work at the place of employment; and
 - (f) any other matters that are necessary to ensure the health and safety of the worker while the worker is at work.
- (3) An employer shall ensure that the time spent by a worker in the training required by subsection (1) is credited to the worker as time at work, and that the worker does not lose pay or other benefits with respect to that time.
- (4) An employer shall ensure that no worker is permitted to perform work unless the worker:
- (a) has been trained, and has sufficient experience, to perform the work safely and in compliance with the Act and the regulations; or
 - (b) is under close and competent supervision.

4 Oct 96 cO-1.1 Reg 1 s19.

Workers' contacts with officers

- 20(1) During an inspection or investigation by an officer at a place of employment, an employer shall allow one of the following to accompany the officer:
- (a) the worker co-chairperson or, in the co-chairperson's absence, any other worker that the committee may designate to represent workers;
 - (b) where there is no committee, a worker designated by the trade union representing workers;
 - (c) where there is no trade union representing workers, a worker designated by an officer;
 - (d) the representative.
- (2) An employer shall permit any worker or group of workers to consult with an officer during an inspection or investigation at a place of employment.
- (3) An employer shall ensure that any time in which a worker consults with an officer, assists an officer or accompanies an officer during an inspection or investigation is considered as time at work and that the worker loses no pay or other benefits.

4 Oct 96 cO-1.1 Reg 1 s20.

Biological monitoring

- 21(1) In this section, "**biological monitoring**" means measuring a worker's total exposure to a physical agent, a chemical substance or a biological substance that is present in a place of employment through the assessment of biological specimens collected from the worker.
- (2) Where a worker is the subject of biological monitoring, an employer shall ensure that:
- (a) the worker is informed of the purposes and the results of the monitoring;
 - (b) at the worker's request, the detailed results of the monitoring are made available to a physician designated by the worker; and
 - (c) the aggregate results of the monitoring are given to the committee or the representative.

4 Oct 96 cO-1.1 Reg 1 s21.

Occupational health and safety program

22(1) Subject to subsection (2), an occupational health and safety program required by section 13 of the Act must include:

- (a) a statement of the employer's policy with respect to the protection and maintenance of the health and safety of the workers;
 - (b) the identification of existing and potential risks to the health or safety of workers at the place of employment and the measures, including procedures to respond to an emergency, that will be taken to reduce, eliminate or control those risks;
 - (c) the identification of internal and external resources, including personnel and equipment, that may be required to respond to an emergency;
 - (d) a statement of the responsibilities of the employer, the supervisors and the workers;
 - (e) a schedule for the regular inspection of the place of employment and of work processes and procedures;
 - (f) a plan for the control of any biological or chemical substance handled, used, stored, produced or disposed of at the place of employment and, where appropriate, the monitoring of the work environment;
 - (g) a plan for training workers and supervisors in safe work practices and procedures, including any procedures, plans, policies or programs that the employer is required to develop pursuant to the Act or any regulations made pursuant to the Act that apply to the work of the workers and supervisors;
 - (h) a procedure for the investigation of accidents, dangerous occurrences and refusals to work pursuant to section 23 of the Act at the place of employment;
 - (i) a strategy for worker participation in occupational health and safety activities, including audit inspections and investigations of accidents, dangerous occurrences and refusals to work pursuant to section 23 of the Act; and
 - (j) a procedure to review and, where necessary, revise the occupational health and safety program at specified intervals that are not greater than three years and whenever there is a change of circumstances that may affect the health or safety of workers.
- (2) On and after January 1, 1998, the places of employment set out in Table 7 of the Appendix with 10 or more workers are prescribed for the purposes of section 13 of the Act.
- (3) An employer at a place of employment mentioned in subsection (2) shall establish an occupational health and safety program that meets the requirements of subsection (1) not later than:
- (a) in a place of employment with 100 or more workers, January 1, 1998;
 - (b) in a place of employment with 21 or more workers but not more than 99 workers, January 1, 1999; and
 - (c) in a place of employment with 10 or more workers but not more than 20 workers, January 1, 2000.

Examination of plant

23 An employer, contractor or owner shall:

- (a) arrange for the regular examination of any plant under the control of the employer or owner to ensure, to the extent that is reasonably practicable, that the plant is capable of:
 - (i) withstanding the stress likely to be imposed on the plant; and
 - (ii) safely performing the functions for which the plant is used; and
- (b) as soon as is reasonably practicable, correct any unsafe condition found in the plant and take immediate steps to protect the health and safety of any worker who may be at risk until the unsafe condition is corrected.

4 Oct 96 cO-1.1 Reg 1 s23.

Identifying mark of approved equipment

24 An employer, contractor or supplier shall ensure that equipment and personal protective equipment that is required by these regulations to be approved by a named agency has the seal, stamp, logo or similar identifying mark of the agency indicating that approval affixed to:

- (a) the equipment or personal protective equipment; or
- (b) the packaging with which the equipment or personal protective equipment is contained.

4 Oct 96 cO-1.1 Reg 1 s24.

Maintenance and repair of equipment

25(1) An employer shall ensure that all equipment is maintained at intervals that are sufficient to ensure the safe functioning of the equipment.

(2) Where a defect is found in equipment, an employer shall ensure that:

- (a) steps are taken immediately to protect the health and safety of any worker who may be at risk until the defect is corrected; and
- (b) the defect is corrected by a competent person as soon as is reasonably practicable.

(3) A worker who knows or has reason to believe that equipment under the worker's control is not in a safe condition shall:

- (a) immediately report the condition of the equipment to the employer; and
- (b) repair the equipment if the worker is authorized and competent to do so.

4 Oct 96 cO-1.1 Reg 1 s25.

Boilers and pressure vessels

26 An employer, contractor or owner shall ensure that any boiler or pressure vessel used at a place of employment that is not required to be inspected or registered pursuant to *The Boiler and Pressure Vessel Act* is properly constructed and maintained.

4 Oct 96 cO-1.1 Reg 1 s26.

Prohibition re use of compressed air

27 No employer shall require or permit compressed air to be directed towards a worker:

- (a) for the purpose of cleaning clothing or personal protective equipment used by that worker; or
- (b) for any other purpose if the use of compressed air may cause dispersion into the air of contaminants that may be harmful to workers.

4 Oct 96 cO-1.1 Reg 1 s27.

Inspection of place of employment

28(1) An employer, contractor or owner shall enable members of a committee or a representative to inspect a place of employment at reasonable intervals determined by the committee or the representative and employer.

(2) On written notice by the committee or the representative of an unsafe condition or a contravention of the Act or any regulations made pursuant to the Act, the employer, contractor or owner shall:

- (a) take immediate steps to protect the health and safety of any worker who may be at risk until the unsafe condition is corrected or the contravention is remedied;
- (b) as soon as possible, take suitable actions to correct the unsafe condition or remedy the contravention; and
- (c) inform the committee or the representative in writing of:
 - (i) the actions that the employer, contractor or owner has taken or will take pursuant to clause (b); or
 - (ii) if the employer, contractor or owner has not taken any actions pursuant to clause (b), the employer's, contractor's or owner's reasons for not taking action.

4 Oct 96 cO-1.1 Reg 1 s28.

Investigation of certain accidents

29(1) Subject to section 30, an employer shall ensure that every accident that causes or may cause the death of a worker or that requires a worker to be admitted to a hospital as an in-patient for a period of 24 hours or more is investigated as soon as is reasonably possible by:

- (a) the co-chairpersons or their designates;
- (b) the employer and the representative; or
- (c) where there is no committee or representative, the employer.

(2) After the investigation of an accident, an employer, in consultation with the co-chairpersons or their designates, or with the representative, shall prepare a written report that includes:

- (a) a description of the accident;
- (b) any graphics, photographs or other evidence that may assist in determining the cause or causes of the accident;

- (c) an explanation of the cause or causes of the accident;
- (d) the immediate corrective action taken; and
- (e) any long-term action that will be taken to prevent the occurrence of a similar accident or the reasons for not taking action.

4 Oct 96 cO-1.1 Reg 1 s29.

Prohibition re scene of accident

30(1) Unless expressly authorized by statute or by subsection (2), no person shall, except for the purpose of saving life or relieving human suffering, interfere with, destroy, carry away or alter the position of any wreckage, article, document or thing at the scene of or connected with an accident causing a death until an officer has completed an investigation of the circumstances surrounding the accident.

(2) Where an accident causing a death occurs and an officer is not able to complete an investigation of the circumstances surrounding the accident, an officer may, unless prohibited by statute, grant permission to move the wreckage, articles and things at the scene or connected with the accident to any extent that may be necessary to allow the work to proceed, if:

- (a) graphics, photographs or other evidence showing details at the scene of the accident are made before the officer grants permission; and
- (b) the co-chairpersons of a committee or the representative for the place of employment at which the accident occurred or their designates have inspected the site of the accident and agreed that the wreckage, article or thing may be moved.

4 Oct 96 cO-1.1 Reg 1 s30.

Investigation of dangerous occurrences

31(1) An employer, contractor or owner shall ensure that every dangerous occurrence described in subsection 9(1) is investigated as soon as is reasonably possible by:

- (a) the co-chairpersons or their designates;
- (b) the employer, contractor or owner and the representative; or
- (c) where there is no committee or representative, the employer, contractor or owner.

(2) After the investigation of a dangerous occurrence, an employer, contractor or owner, in consultation with the co-chairpersons or their designates or with the representative, shall prepare a written report that includes:

- (a) a description of the dangerous occurrence;
- (b) any graphics, photographs or other evidence that may assist in determining the cause or causes of the dangerous occurrence;
- (c) an explanation of the cause or causes of the dangerous occurrence;
- (d) the immediate corrective action taken; and
- (e) any long-term action that will be taken to prevent the occurrence of a similar dangerous occurrence or the reasons for not taking action.

4 Oct 96 cO-1.1 Reg 1 s31.

Injuries requiring medical treatment

32 An employer or contractor shall report to the co-chairpersons, the representative or their designates any lost-time injury at the place of employment that results in a worker receiving medical treatment and allow the co-chairpersons, the representative or their designates a reasonable opportunity to review the lost-time injury during normal working hours and without loss of pay or other benefits.

4 Oct 96 cO-1.1 Reg 1 s32.

Work where visibility is restricted

33 Where visibility in an area at a place of employment is restricted by smoke, steam or any other substance to the extent that a worker is at risk of injury, an employer or contractor shall not require or permit the worker to work in that area unless the employer or contractor provides the worker with an effective means of communication with another worker who is readily available to provide assistance in an emergency.

4 Oct 96 cO-1.1 Reg 1 s33.

Work or travel on ice over water, etc.

34(1) Before a worker is required or permitted to work or travel on ice that is over water or over other material into which a worker could sink more than one metre, an employer or contractor shall have the ice tested to ensure that the ice will support any load that the work or travel will place on the ice.

(2) Subsection (1) does not apply to winter roads built and maintained by the Department of Highways and Transportation.

4 Oct 96 cO-1.1 Reg 1 s34.

Working alone or at isolated place of employment

35(1) In this section, **"to work alone"** means to work at a worksite as the only worker of the employer or contractor at that worksite, in circumstances where assistance is not readily available to the worker in the event of injury, ill health or emergency.

(2) Where a worker is required to work alone or at an isolated place of employment, an employer or contractor, in consultation with the committee, the representative or, where there is no committee or representative, the workers, shall identify the risks arising from the conditions and circumstances of the worker's work or the isolation of the place of employment.

(3) An employer or contractor shall take all reasonably practicable steps to eliminate or reduce the risks identified pursuant to subsection (2).

(4) The steps to be taken to eliminate or reduce the risks pursuant to subsection (3):

(a) must include the establishment of an effective communication system that consists of:

- (i) radio communication;
- (ii) phone or cellular phone communication; or

- (iii) any other means that provides effective communication in view of the risks involved; and
- (b) may include any of the following:
 - (i) regular contact by the employer or contractor with the worker working alone or at an isolated place of employment;
 - (ii) limitations on, or prohibitions of, specified activities;
 - (iii) establishment of minimum training or experience, or other standards of competency;
 - (iv) provision of personal protective equipment;
 - (v) establishment of safe work practices or procedures;
 - (vi) provision of emergency supplies for use in travelling under conditions of extreme cold or other inclement weather conditions.

4 Oct 96 cO-1.1 Reg 1 s35.

Harassment

36(1) An employer, in consultation with the committee, shall develop a policy in writing to prevent harassment that includes:

- (a) a definition of harassment that includes the definition in the Act;
- (b) a statement that every worker is entitled to employment free of harassment;
- (c) a commitment that the employer will make every reasonably practicable effort to ensure that no worker is subjected to harassment;
- (d) a commitment that the employer will take corrective action respecting any person under the employer's direction who subjects any worker to harassment;
- (e) an explanation of how complaints of harassment may be brought to the attention of the employer;
- (f) a statement that the employer will not disclose the name of a complainant or an alleged harasser or the circumstances related to the complaint to any person except where disclosure is:
 - (i) necessary for the purposes of investigating the complaint or taking corrective action with respect to the complaint; or
 - (ii) required by law;
- (g) a reference to the provisions of the Act respecting harassment and the worker's right to request the assistance of an occupational health officer to resolve a complaint of harassment;
- (h) a reference to the provisions of *The Saskatchewan Human Rights Code* respecting discriminatory practices and the worker's right to file a complaint with the Saskatchewan Human Rights Commission;
- (i) a description of the procedure that the employer will follow to inform the complainant and the alleged harasser of the results of the investigation; and

(j) a statement that the employer's harassment policy is not intended to discourage or prevent the complainant from exercising any other legal rights pursuant to any other law.

(2) An employer shall:

- (a) implement the policy developed pursuant to subsection (1); and
- (b) post a copy of the policy in a conspicuous place that is readily available for reference by workers.

4 Oct 96 cO-1.1 Reg 1 s36.

Violence

37(1) In this section, "**violence**" means the attempted, threatened or actual conduct of a person that causes or is likely to cause injury, and includes any threatening statement or behaviour that gives a worker reasonable cause to believe that the worker is at risk of injury.

(2) On and after January 1, 1997, places of employment that provide the following services or activities are prescribed for the purposes of subsection 14(1) of the Act:

- (a) services provided by health care facilities mentioned in sub-clauses 468(b)(i) to (v) and (xii);
- (b) pharmaceutical-dispensing services;
- (c) education services;
- (d) police services;
- (e) corrections services;
- (f) other law enforcement services;
- (g) security services;
- (h) crisis counselling and intervention services;
- (i) retail sales in establishments that are open between the hours of 11:00 p.m. and 6:00 a.m.;
- (j) financial services;
- (k) the sale of alcoholic beverages or the provision of premises for the consumption of alcoholic beverages;
- (l) taxi services;
- (m) transit services.

(3) A policy statement required by subsection 14(1) of the Act must be in writing and must include:

- (a) the employer's commitment to minimize or eliminate the risk;
- (b) the identification of the worksite or worksites where violent situations have occurred or may reasonably be expected to occur;
- (c) the identification of any staff positions at the place of employment that have been, or may reasonably be expected to be, exposed to violent situations;

- (d) the procedure to be followed by the employer to inform workers of the nature and extent of risk from violence, including, except where the disclosure is prohibited by law, any information in the employer's possession related to the risk of violence from persons who have a history of violent behaviour and whom workers are likely to encounter in the course of their work;
 - (e) the actions the employer will take to minimize or eliminate the risk, including the use of personal protective equipment, administrative arrangements and engineering controls;
 - (f) the procedure to be followed by a worker who has been exposed to a violent incident to report the incident to the employer;
 - (g) the procedure the employer will follow to document and investigate a violent incident reported pursuant to clause (f);
 - (h) a recommendation that any worker who has been exposed to a violent incident consult the worker's physician for treatment or referral for post-incident counselling; and
 - (i) the employer's commitment to provide a training program for workers that includes:
 - (i) the means to recognize potentially violent situations;
 - (ii) procedures, work practices, administrative arrangements and engineering controls that have been developed to minimize or eliminate the risk to workers;
 - (iii) the appropriate responses of workers to incidents of violence, including how to obtain assistance; and
 - (iv) procedures for reporting violent incidents.
- (4) Where a worker receives treatment or counselling mentioned in clause (3)(h) or attends a training program mentioned in clause (3)(i), an employer shall credit the worker's attendance as time at work and ensure that the worker loses no pay or other benefits.
- (5) An employer shall make readily available for reference by workers a copy of the policy statement required by subsection 14(1) of the Act.
- (6) An employer shall ensure that the policy statement required by subsection 14(1) of the Act is reviewed and, where necessary, revised every three years and whenever there is a change of circumstances that may affect the health or safety of workers.

4 Oct 96 cO-1.1 Reg 1 s37.

PART IV Committees and Representatives

Committees at construction sites

38 A contractor shall establish a committee at a construction site at which 10 or more workers or self-employed persons work or are likely to work for more than 90 days.

4 Oct 96 cO-1.1 Reg 1 s38.

Designation of committee members

39(1) An employer or contractor who is required to establish a committee shall:

- (a) in designating the members:
 - (i) select persons to represent the employer or contractor on the committee; and
 - (ii) ensure that there is a sufficient number of members representing workers on the committee to equitably represent groups of workers who have substantially different occupational health and safety concerns; and
- (b) designate members for a term not exceeding three years.

(2) Members of a committee hold office until a successor is designated, and may be re-designated for a second or subsequent term.

4 Oct 96 cO-1.1 Reg 1 s39.

Quorum and certain votes

40(1) A quorum consists of one-half of the members of a committee, where:

- (a) representatives of both employers and workers are present; and
- (b) at least one-half of the members present represent workers.

(2) Any business of a committee that is transacted where a quorum is not present is not validly transacted, and any meeting of a committee that is held where a quorum is not present is not a valid meeting of the committee.

(3) Decisions of a committee with respect to refusals to work pursuant to section 23 of the Act must be by unanimous vote of members of the committee who are present.

4 Oct 96 cO-1.1 Reg 1 s40.

Frequency of meetings

41(1) Subject to subsection (2), a committee shall:

- (a) hold its first meeting within two weeks after being established;
- (b) hold three subsequent meetings at intervals not exceeding one month; and
- (c) after that, hold regular meetings at intervals not exceeding three months.

(2) The director may require a committee to meet more frequently than subsection (1) requires because of any of the following factors at the place of employment:

- (a) the existence of particular hazards or circumstances;
- (b) the complexity of the operation;
- (c) the number of workers.

4 Oct 96 cO-1.1 Reg 1 s41.

Minutes**42** A committee shall:

- (a) record minutes of each meeting in a format provided by the division and keep the minutes on file with the committee;
- (b) send a copy of the minutes to the division within two weeks after the date of the meeting; and
- (c) post a copy of the minutes at a location that is readily accessible to workers at the place of employment until all concerns recorded in the minutes are resolved.

4 Oct 96 cO-1.1 Reg 1 s42.

Co-chairpersons**43(1)** At the first meeting of a committee:

- (a) members of the committee representing workers shall elect a worker co-chairperson from among their number; and
- (b) the employer or contractor shall appoint an employer or contractor co-chairperson from the members of the committee representing the employer or contractor.

(2) An employer or contractor co-chairperson shall keep the employer or contractor informed of the activities, concerns and recommendations of the committee and of any information addressed to the committee.

(3) A worker co-chairperson shall keep the workers informed of the activities, concerns and recommendations of the committee and of any information addressed to the committee.

(4) An employer or contractor shall facilitate the discharge of the worker co-chairperson's duties during normal work hours by permitting meetings of workers or by other means that are appropriate in the circumstances.

4 Oct 96 cO-1.1 Reg 1 s43.

Special meetings

44 Either co-chairperson may call a special meeting of a committee to deal with urgent concerns, imminent dangers to health or safety, investigations of accidents or dangerous occurrences or refusals to work pursuant to section 23 of the Act.

4 Oct 96 cO-1.1 Reg 1 s44.

Designation of representative

45(1) On and after July 1, 1997, the places of employment set out in Table 7 of the Appendix where more than four but fewer than 10 workers of one employer work are prescribed for the purposes of section 16 of the Act.

(2) An employer at a place of employment described in subsection (1) shall designate a representative for the workers at that place of employment not later than the day on which the place of employment is prescribed pursuant to subsection (1).

4 Oct 96 cO-1.1 Reg 1 s45.

Training of representatives, committee members

46(1) At a place of employment where a representative is designated, an employer shall ensure that the representative receives training respecting the duties and functions of a representative.

(2) At a place of employment where a committee is established, an employer or contractor shall ensure that the co-chairpersons of the committee receive training respecting the duties and functions of a committee.

(3) Where a member of a committee or a representative gives reasonable notice, an employer or contractor shall permit the member or representative to take leave for a period or periods of not more than five working days per year to attend occupational health and safety training programs, seminars or courses of instruction.

(4) Where a member of a committee or a representative attends a training program, seminar or course of instruction on health and safety matters conducted or provided by the division or by an approved training agency, an employer or contractor shall credit the member's or representative's attendance as time at work and ensure that the member or representative loses no pay or other benefits.

4 Oct 96 cO-1.1 Reg 1 s46.

Meetings of employers and representatives

47(1) At a place of employment where a representative is designated, an employer shall meet with the representative regularly to discuss health and safety matters.

(2) A representative may call a special meeting with an employer to deal with urgent concerns, imminent dangers to health or safety or investigations of accidents or dangerous occurrences.

4 Oct 96 cO-1.1 Reg 1 s47.

Opportunity for necessary activities

48(1) An employer or contractor shall ensure that:

(a) the members of a committee or a representative are allowed to examine any log book, inspection report or other record that the employer or contractor is required to keep at the place of employment pursuant to the Act or any regulations made pursuant to the Act;

(b) members of a committee or a representative have reasonable opportunity, during normal working hours and without loss of pay or other benefits, to receive and investigate concerns, to inform workers of the provisions of the Act or any regulations made pursuant to the Act or to conduct other business proper to the functioning of the committee or the representative;

(c) members of a committee have reasonable opportunity to hold a special meeting pursuant to section 44 at any time; and

(d) a representative has reasonable opportunity to hold a special meeting pursuant to subsection 47(2) at any time.

(2) An employer or contractor shall ensure that no member of a committee or representative who participates in a regular meeting held pursuant to section 41 or subsection 47(1) or in a special meeting held pursuant to section 44 or 49 or subsection 47(2) loses any pay or other benefits as a result of that participation.

4 Oct 96 cO-1.1 Reg 1 s48.

Meetings called by officer

49 An officer may call a special meeting of a committee, of several committees jointly, of the co-chairpersons of committees or with a representative for the purpose of:

- (a) ensuring the proper functioning of the committee, committees or representative;
- (b) providing information to the committee, committees, co-chairpersons or representative; or
- (c) providing education concerning occupational health or safety at work to the committee, committees, co-chairpersons or representative.

4 Oct 96 cO-1.1 Reg 1 s49.

**PART V
First Aid**

Interpretation

50 In this Part:

- (a) **“agency”** means a body, person, association, society or other organization that delivers first aid training courses and cardiopulmonary resuscitation training courses by one or more competent instructors;
- (b) **“close”**, in relation to a place of employment or worksite, means a place of employment or worksite that is not more than 30 minutes' travel time from a hospital or medical facility under normal travel conditions using the available means of transportation;
- (c) **“distant”**, in relation to a place of employment or worksite, means a place of employment or worksite that is more than 30 minutes' but less than two hours' travel time from a hospital or medical facility under normal travel conditions using the available means of transportation;
- (d) **“high-hazard work”** means work regularly involving any activity set out in Table 8 of the Appendix;
- (e) **“instructor”** means a person who has successfully completed first aid and cardiopulmonary resuscitation instructor training;
- (f) **“isolated”**, in relation to a place of employment or worksite, means a place of employment or worksite:
 - (i) that is more than two hours' travel time from a hospital or medical facility under normal travel conditions using the available means of surface transportation; or
 - (ii) for which transport by aircraft is the normal mode of transport;
- (g) **“low-hazard work”** means work of an administrative, professional or clerical nature that does not require substantial physical exertion or exposure to potentially hazardous conditions, work processes or substances;
- (h) **“medical facility”** means a medical clinic or office where a physician or registered nurse is always readily available.

4 Oct 96 cO-1.1 Reg 1 s50.

Application

51 This Part does not apply to:

- (a) a hospital, medical clinic, physician's office, nursing home or other health care facility where a physician or a registered nurse is always readily available; or
- (b) a close place of employment at which the work performed is entirely low-hazard work.

4 Oct 96 cO-1.1 Reg 1 s51.

Provision of first aid

52 Subject to section 53, an employer, contractor or owner shall:

- (a) provide the personnel, supplies, equipment, facilities and transportation required by this Part to render prompt and appropriate first aid to workers at every worksite;
- (b) in consultation with the committee, the representative or, where there is no committee or representative, the workers, review the provisions of this Part;
- (c) if the provisions of this Part are not adequate to meet any specific hazard at a place of employment, provide additional suitable personnel, supplies, equipment and facilities that are appropriate for the hazard; and
- (d) ensure that, where a worker may be entrapped or incapacitated in a situation that may be dangerous to any person involved in the rescue operation:
 - (i) an effective written procedure for the rescue of that worker is developed; and
 - (ii) suitable personnel and rescue equipment are provided.

4 Oct 96 cO-1.1 Reg 1 s52.

More than one employer

53(1) Where more than one employer has workers at the same place of employment:

- (a) the employers and any contractor or owner may agree in writing to provide collectively the personnel, supplies, equipment, facilities and transportation for injured workers required by this Part; or
 - (b) the director may, by notice in writing, require all employers, contractors and owners to provide collectively the personnel, supplies, equipment, facilities and transportation for injured workers required by this Part.
- (2) Where subsection (1) applies, the total number of workers of all employers at the place of employment is deemed to be the number of workers at the place of employment.

4 Oct 96 cO-1.1 Reg 1 s53.

First aid personnel

54(1) An employer or contractor shall:

- (a) provide the personnel and supplies set out in Table 9 of the Appendix for:
 - (i) the type of work carried out at the place of employment;
 - (ii) the distance of the place of employment from the nearest medical facility; and
 - (iii) the number of workers at the place of employment at any one time; and
 - (b) ensure that the personnel are readily available during working hours.
- (2) An employer or contractor shall ensure that the personnel required pursuant to subsection (1) have the qualifications set out in Table 1 or Table 3 of the Appendix, as the case may require.
- (3) A person who possesses credentials in first aid that, in the opinion of the director, are equivalent to or superior to the credentials required for a place of employment may serve as a first aid attendant at that place of employment.
- (4) Where rescue personnel are required by these regulations to be provided at a worksite, an employer or contractor shall ensure that at least one first aid attendant with a class A qualification is readily available during working hours, whether or not the employer or contractor is required to provide a class A first aid attendant pursuant to subsection (1).
- (5) Notwithstanding any other provision of this Part, where an employer, contractor or owner provides lodging for workers at or near an isolated or distant place of employment, the employer, contractor or owner shall provide the personnel, supplies, equipment and facilities required pursuant to Tables 9 to 12 of the Appendix based on the total number of workers at or near the place of employment, whether or not the workers are all working at any one time.
- (6) An employer or contractor shall:
- (a) allow a first aid attendant and any other worker that the first aid attendant needs for assistance to provide prompt and adequate first aid to a worker who has been injured or taken ill; and
 - (b) ensure that the first aid attendant and any worker assisting the first aid attendant have adequate time, with no loss of pay or other benefits, to provide the first aid.

4 Oct 96 cO-1.1 Reg 1 s54.

Certificates

55(1) No certificate issued by an agency is valid for the purposes of this Part unless the certificate specifies the duration and content of the course for which the certificate is issued and the expiry date of the certificate.

(2) A certificate may specify:

- (a) a period not exceeding three years for which the certificate is valid; and
- (b) the conditions for the renewal of the certificate.

4 Oct 96 cO-1.1 Reg 1 s55.

First aid station

56(1) An employer or contractor shall provide and maintain for every worksite a readily accessible first aid station that contains:

- (a) a first aid box containing the supplies and equipment set out in Table 10 of the Appendix;
 - (b) a suitable first aid manual; and
 - (c) any other supplies and equipment required by these regulations.
- (2) An employer or contractor shall ensure that:
- (a) the location of a first aid station is clearly and conspicuously identified; and
 - (b) at a first aid station, an appropriate emergency procedure is prominently displayed that includes:
 - (i) an emergency telephone list or other instructions for reaching the nearest fire, police, ambulance, physician, hospital or other appropriate service; and
 - (ii) any written rescue procedure required by subclause 52(d)(i).

4 Oct 96 cO-1.1 Reg 1 s56; 31 Jan 97 SR 6/97 s4.

First aid register

57 An employer or contractor shall ensure that:

- (a) each first aid station is provided with a first aid register;
- (b) all particulars of the following are recorded in the first aid register:
 - (i) each first aid treatment administered to a worker while at work;
 - (ii) each case referred for medical attention;
- (c) a first aid register is readily available for inspection by the committee or representative; and
- (d) a first aid register no longer in use is retained at the place of employment for a period of not less than five years from the day on which the register ceased to be used.

4 Oct 96 cO-1.1 Reg 1 s57.

First aid room

58 Where there are likely to be 100 or more workers at a distant or isolated place of employment at any one time, an employer, contractor or owner shall provide a first aid room that:

- (a) is of adequate size, is clean and is provided with adequate lighting, ventilation and heating;
- (b) is equipped with:
 - (i) a permanently installed sink, with hot and cold water;
 - (ii) the first aid supplies and equipment required by this Part; and
 - (iii) a cot or bed with a moisture-protected mattress and pillows;

- (c) is readily accessible to workers;
- (d) is under the charge of a first aid attendant with the qualifications required by this Part who is readily available to provide first aid; and
- (e) is used exclusively for the purposes of administering first aid and medical examinations and to provide rest for persons who are injured or ill.

4 Oct 96 cO-1.1 Reg 1 s58.

Workers being transported

59 Where workers are being transported by an employer or contractor to or from work or at work, and a first aid station, medical clinic, physician's office, hospital or other health care facility is not readily available, an employer or contractor shall provide a first aid box that contains at least the supplies and equipment listed in Table 10 of the Appendix and that is readily available to the workers being transported.

4 Oct 96 cO-1.1 Reg 1 s59.

First aid supplies and equipment

60(1) An employer or contractor shall ensure that:

- (a) all first aid supplies and equipment are protected and kept in a clean and dry state;
 - (b) no supplies, equipment or materials other than supplies and equipment for first aid are kept in the first aid box mentioned in clause 56(1)(a);
- (2) At a place of employment where a first aid attendant is required pursuant to section 54, an employer or contractor shall provide the additional first aid supplies and equipment set out:
- (a) in Table 11 of the Appendix where a first aid attendant with a class A qualification is required; and
 - (b) in Table 12 of the Appendix where a first aid attendant with a class B qualification or an emergency medical technician's licence is required.
- (3) At a distant or isolated place of employment, an employer or contractor shall provide and make readily accessible to workers two blankets, a stretcher and splints for the upper and lower limbs.

4 Oct 96 cO-1.1 Reg 1 s60.

Transportation of injured workers

61(1) An employer or contractor shall ensure that a means of transportation for injured workers to a medical facility or hospital is available.

- (2) The following meet the requirements of subsection (1):
- (a) an ambulance service that is within 30 minutes' travel time from the ambulance base to the place of employment under normal travel conditions;
- or

(b) a means of transportation that is suitable, having regard to the distance to be travelled and the risks to which workers are exposed, that affords protection against the weather and is equipped, where reasonably practicable, with a means of communication that permits contact with the medical facility or hospital to which the injured worker is being transported and with the place of employment.

(3) Where a stretcher is required to be provided pursuant to subsection 60(3), an employer or contractor shall ensure that the means of transportation provided pursuant to clause (2)(b) is capable of accommodating and securing an occupied stretcher.

(4) An employer or contractor shall provide a means of communication to summon the transportation required by subsection (1).

(5) Where a worker is seriously injured or, in the opinion of a first aid attendant, needs to be accompanied during transportation, an employer or contractor shall ensure that the worker is accompanied by a first aid attendant during transportation.

4 Oct 96 cO-1.1 Reg 1 s61.

Asphyxiation and poisoning

62 Where a worker is at risk of asphyxiation or poisoning, an employer or contractor shall ensure that all practicable emergency arrangements are made for the rescue of the worker and for the prompt provision of antidotes, supportive measures, first aid, medical attention and any other measures that are appropriate to the nature and probable effects of the asphyxia or poisoning.

4 Oct 96 cO-1.1 Reg 1 s62.

Additional provisions

63 Where, in the opinion of the director, first aid and emergency arrangements at a place of employment or worksite are inadequate, the director may, by notice in writing, require the employer or contractor to make additional provisions.

4 Oct 96 cO-1.1 Reg 1 s63.

PART VI General Health Requirements

Sanitation

64(1) An employer, contractor or owner shall ensure that a place of employment is sanitary and kept as clean as is reasonably practicable and shall ensure, to the extent that is reasonably practicable, that:

- (a) dirt and debris are removed at least daily by a suitable method from all floors, working surfaces, stairways and passages;
- (b) floors are cleaned at least once each week by washing, vacuum cleaning or any other effective and suitable method; and
- (c) all inside walls, partitions, ceilings, passages and staircases are clean and are suitably finished and maintained.

(2) Where a worker may be exposed to refuse, spills or waste materials that may pose a risk to the worker's health or safety, an employer or contractor shall ensure that the refuse, spill or waste material is removed by a suitable method from the worksite as soon as is practicable.

4 Oct 96 cO-1.1 Reg 1 s64.

Ventilation and air supply

65 An employer, contractor or owner shall:

- (a) ensure the adequate ventilation of a place of employment; and
- (b) to the extent that is reasonably practicable, render harmless and inoffensive, and prevent the accumulation of, any contaminants or impurities in the air by providing an adequate supply of clean and wholesome air and maintaining its circulation throughout the place of employment.

4 Oct 96 cO-1.1 Reg 1 s65.

Mechanical ventilation

66(1) An employer, contractor or owner shall provide a mechanical ventilation system in a place of employment that is sufficient and suitable to protect the workers against inhalation of a contaminant and to prevent accumulation of the contaminant and ensure that the mechanical ventilation system is maintained and properly used, where any work, activity or process in the place of employment gives off:

- (a) a dust, fume, gas, mist, aerosol or vapour or other contaminant of a kind and quantity that is likely to be hazardous to workers; or
- (b) substantial quantities of contaminants of any kind.

(2) An employer, contractor or owner who provides a mechanical ventilation system at a place of employment, whether required by subsection (1) or not, shall ensure that the system provides sufficient fresh and tempered air to replace the air exhausted by ventilation.

(3) Where practicable, an employer, contractor or owner shall ensure that a mechanical ventilation system required by subsection (1):

- (a) includes local exhaust ventilation that is installed and maintained at or near the point of origin of the contaminant so as to prevent effectively the contaminant from entering the air of the place of employment; and
- (b) is equipped with a device that will provide a warning to workers when the system is not working effectively.

(4) An employer, contractor or owner shall ensure that contaminants removed by a mechanical ventilation system required by subsection (1) are:

- (a) exhausted clear of the place of employment; and
- (b) where reasonably practicable, prevented from entering any place of employment.

(5) An employer, contractor or owner shall ensure that effective provision is made for the immediate protection of workers in the event of failure of a mechanical ventilation system required by subsection (1).

(6) Where an air cleaning system is used to clean recirculated air, an employer, contractor or owner shall ensure that the air cleaning system is designed, installed and maintained to remove particulate and gaseous contaminants at a rate that is sufficient to protect the health and safety of workers and, where reasonably practicable, to render the air inoffensive.

4 Oct 96 cO-1.1 Reg 1 s66.

Cleaning and maintaining ventilation systems

67(1) An employer, contractor or owner shall ensure that:

(a) the mechanical ventilation system, including any humidification equipment, is constructed and maintained to minimize the growth and dissemination of micro-organisms, insects and mites through the ventilation system; and

(b) where reasonably practicable, the components of a mechanical ventilation system are readily accessible for cleaning and inspection.

(2) An employer, contractor or owner shall ensure that a competent person inspects and maintains all parts of a mechanical ventilation system, cleans all louvres and replaces or adequately cleans all filters at a frequency that is sufficient to protect the health and safety of the workers.

(3) An employer, contractor or owner shall keep all ventilation openings free of any obstruction or source of contamination.

(4) An employer, contractor or owner shall ensure that a record of all inspections, maintenance and cleaning of a mechanical ventilation system required by subsection 66(1):

(a) is made by the competent person who performs the work; and

(b) is readily available for examination by the committee, the representative or, where there is no committee or representative, the workers.

4 Oct 96 cO-1.1 Reg 1 s67.

Space

68(1) An employer or contractor shall ensure that no part of a place of employment is overcrowded to a degree that may cause risk of injury to workers.

(2) Without limiting the generality of subsection (1), an employer or contractor shall ensure that there is at least 10 cubic metres of space for each worker employed at any one time at a worksite.

(3) For the purposes of subsection (2), no space that is more than three metres from the floor and no space occupied by solid objects is to be taken into account.

4 Oct 96 cO-1.1 Reg 1 s68.

Lighting

69(1) While workers are present at a worksite, an employer, contractor or owner shall provide lighting that is sufficient to protect the health and safety of workers and suitable for the work to be done at the worksite.

(2) An employer, contractor or owner shall ensure that the illumination of all parts of a place of employment where workers pass, other than underground at a mine, is at least five decalux.

(3) Where failure of the regular lighting system is likely to create conditions dangerous to the health or safety of workers, an employer, contractor or owner shall provide appropriate emergency lighting of at least five decalux for the worksite and exit routes from the worksite.

(4) An employer, contractor or owner shall ensure that:

- (a) light fixtures, windows and skylights that provide light for work are, where practicable, kept clean and free from any obstruction, except for special treatment of light fixtures, windows or skylights to reduce heat or glare; and
- (b) artificial light sources and reflective surfaces are positioned, screened or provided with a shade, where practicable, to prevent glare or the formation of shadows that cause discomfort or a risk of accident to a worker.

4 Oct 96 cO-1.1 Reg 1 s69.

Thermal conditions

70(1) Subject to subsection (3), in an indoor place of employment, an employer, contractor or owner shall provide and maintain thermal conditions, including air temperature, radiant temperature, humidity and air movement, that:

- (a) are appropriate to the nature of the work performed;
- (b) provide effective protection for the health and safety of workers; and
- (c) provide reasonable thermal comfort for workers.

(2) At an indoor place of employment where the thermal environment is likely to be a health or safety concern to the workers, an employer, contractor or owner shall provide and maintain an appropriate and suitably located instrument for measuring the thermal conditions.

(3) Where it is not reasonably practicable to control thermal conditions or where work is being performed outdoors, an employer, contractor or owner shall provide and maintain measures for:

- (a) the effective protection of the health and safety of workers; and
- (b) the reasonable thermal comfort of workers.

(4) Measures for the purposes set out in subsection (3) may include, but are not limited to, the following:

- (a) frequent monitoring of thermal conditions;
- (b) the provision of special or temporary equipment, including screens, shelters and temporary heating or cooling equipment;
- (c) the provision of suitable clothing or personal protective equipment;

- (d) the provision of hot or cold drinks;
 - (e) the use of acclimatization or other physiological procedures;
 - (f) the use of limited work schedules with rest and recovery periods, changes in workloads, changes in hours or other arrangements for work;
 - (g) frequent observation of workers by a person who is trained to recognize the symptoms of physiological stress resulting from extreme temperatures;
 - (h) the provision of emergency supplies for use when travelling under extremely cold or inclement weather conditions.
- (5) Where a worker is required to work in thermal conditions that are different from those associated with the worker's normal duties, an employer or contractor shall provide, and require the worker to use, any suitable clothing or other personal protective equipment that is necessary to protect the health and safety of the worker.

4 Oct 96 cO-1.1 Reg 1 s70.

Toilet facilities

71(1) An employer, contractor or owner shall ensure that suitable and readily accessible toilet facilities for workers:

- (a) are provided at a place of employment, maintained and kept clean;
 - (b) are sufficient in number for the number of workers at the place of employment at any one time; and
 - (c) have adequate provision for privacy, heat, light and ventilation.
- (2) Subject to subsections (3) to (6), on and after July 1, 1997, the minimum number of toilet facilities required pursuant to subsection (1) is set out in Table 13 of the Appendix.
- (3) Where toilet facilities are likely to be used by persons other than workers, an employer, contractor or owner shall provide additional toilets in a number that is proportionate to the number set out in Table 13 of the Appendix and, where use by those other persons is substantial and frequent, the employer, contractor or owner shall provide separate toilet facilities for those other persons.
- (4) Where there are more than 10 workers and both male and female persons are employed at any time, an employer, contractor or owner shall provide separate toilet facilities for workers of each sex in numbers that are proportionate to the numbers of male and female persons employed.
- (5) Where each toilet compartment is completely enclosed from floor to ceiling and has a door that can be locked from the inside, an employer, contractor or owner is deemed to have met the requirements of subsection (4).
- (6) Where more than 100 male persons work or are likely to work on any shift and sufficient urinal accommodations are provided, the minimum number of toilet facilities set out in Table 13 of the Appendix may be reduced with the permission of an officer.

(7) An employer, contractor or owner shall ensure that each toilet facility required by this section:

- (a) is used exclusively for the purposes for which the facility is designed;
- (b) is free from any obstacle or obstruction that could prevent the facility from being used;
- (c) is kept free of vermin;
- (d) is supplied with toilet tissue at all times and with easily cleanable, covered receptacles for waste materials; and
- (e) except in the case of a urinal, is equipped with an individual compartment and a door that can be locked from the inside.

4 Oct 96 cO-1.1 Reg 1 s71.

Personal washing

72 An employer, contractor or owner shall provide and maintain for the use of workers suitable facilities for personal washing that:

- (a) are located near each toilet at a place of employment;
- (b) have a supply of clean hot and cold water or warm water, soap and clean towels or other suitable means of cleaning and drying;
- (c) have an easily cleanable, covered receptacle for waste materials;
- (d) are adequately heated, ventilated and lighted; and
- (e) are kept in a clean and neat condition.

4 Oct 96 cO-1.1 Reg 1 s72.

Clothing

73(1) Subject to subsection (2), an employer, contractor or owner shall provide at a place of employment and maintain for the use of workers clean, appropriately located and suitable accommodation for street clothing that is not worn at work and for clothing worn at work.

(2) Where street clothing not worn at work is likely to become wet, dirty or contaminated from being kept in the same accommodation as clothing worn at work, the accommodation for street clothing must be separate from the accommodation provided for clothing worn at work.

(3) Where a worker's work clothing or skin is likely to be contaminated by hazardous or offensive substances, an employer or contractor shall:

- (a) provide protective clothing and head cover appropriate to the work and hazard;
- (b) provide a suitable changing area; and
- (c) ensure that the clothing and head cover is handled and cleaned or disposed of in a manner that will prevent worker exposure to hazardous or offensive substances.

4 Oct 96 cO-1.1 Reg 1 s73.

Change and shower facilities

74 Where a worker's skin is likely to be contaminated by harmful or offensive substances as part of the regular work processes at a place of employment, an employer, contractor or owner shall:

- (a) where reasonably practicable, provide and maintain suitable, adequate and clean change and shower facilities; and
- (b) allow sufficient time, during normal working hours without loss of pay or other benefits, for the worker to use the facilities.

4 Oct 96 cO-1.1 Reg 1 s74.

Eating areas

75(1) An employer, contractor or owner shall provide sufficient, suitable areas that are kept clean, dry, thermally comfortable and reasonably quiet for workers to eat and drink during work breaks.

(2) At places of employment where the substances used in the work or the work processes are dusty, dirty or otherwise likely to contaminate a worker's person, clothing or food, the employer, contractor or owner shall provide an eating area that is separate from the worksite and close to washing facilities.

4 Oct 96 cO-1.1 Reg 1 s75.

Drinking water

76(1) An employer, contractor or owner shall provide, at suitable points that are readily accessible to all workers, an adequate supply of clean and safe drinking water.

(2) Where the supply of drinking water at a place of employment is not piped, an employer, contractor or owner shall:

- (a) provide drinking water in suitable covered containers;
- (b) protect the drinking water from contamination; and
- (c) change the drinking water as often as is necessary to ensure that the water is clean and safe to drink.

(3) Except where drinking water is supplied in an upward jet, an employer, contractor or owner shall provide an adequate supply of disposable cups near each supply of drinking water.

(4) Where it is necessary to identify the supply of drinking water, an employer, contractor or owner shall clearly indicate the supply of drinking water with a sign that says "Drinking Water" or by another visual means.

(5) Where there is a supply of water at a place of employment that is unfit for drinking, an employer, contractor or owner shall clearly indicate the supply of water with a permanently fixed, durable sign that says "Unfit for Drinking" or by another visual means.

4 Oct 96 cO-1.1 Reg 1 s76.

Smoking

77(1) In this section:

- (a) **“enclosed place of employment”** means a place of employment that is within a building or another enclosed place and includes:
 - (i) a vehicle; and
 - (ii) any of the following areas of an underground mine:
 - (A) a mine shaft;
 - (B) a refuge station required pursuant to *The Mines Regulations, 2003*;
 - (C) a lunch room;
 - (D) any area, other than one mentioned in paragraphs (A) to (C), that is within 10 metres of where a worker, self-employed person, employer, contractor or owner is present;
 - (b) **“enclosed work-related area”** means a work-related area that is within a building or another enclosed place;
 - (c) **“enclosed worksite”** means a worksite that is within a building or another enclosed place;
 - (d) **“smoke”** means to smoke, hold or otherwise have control over ignited tobacco;
 - (e) **“tobacco”** means tobacco in any form in which it is used or consumed, and includes snuff and raw leaf tobacco, but does not include any food, drug or device that contains nicotine to which the *Food and Drugs Act* (Canada) applies.
- (2) Subject to subsections (3) and (4), an employer, contractor or owner shall ensure that no person smokes in:
- (a) an enclosed place of employment;
 - (b) an enclosed work-related area; or
 - (c) any other place of employment where smoking is prohibited by law.
- (3) Subsection (2) does not apply to the following places or persons:
- (a) an enclosed place of employment or enclosed work-related area while it is being used with the consent of the proprietor for traditional Aboriginal spiritual or cultural practices or ceremonies, if the use of tobacco is an integral part of the traditional Aboriginal spiritual or cultural practices or ceremonies being carried out in the enclosed place of employment or enclosed work-related area;

- (b) residents or persons visiting residents in an enclosed place that:
 - (i) is ventilated separately from the rest of the enclosed place of employment or enclosed work-related area;
 - (ii) is within:
 - (A) a facility designated as a special-care home pursuant to *The Regional Health Services Act*; or
 - (B) a personal care home as defined in *The Personal Care Homes Act* that offers care and accommodation to more than 10 persons; and
 - (iii) meets the requirements prescribed in *The Tobacco Control Act* and the regulations made pursuant to that Act.
- (4) No person while at work shall smoke in any enclosed place of employment or enclosed work-related area where smoking is prohibited pursuant to this section unless:
 - (a) the person is:
 - (i) a self-employed person in a place of employment that:
 - (A) is ventilated separately from other places of employment or work-related areas; and
 - (B) is owned by the self-employed person;
 - (ii) a worker in a vehicle who has the permission of the owner or lessee of the vehicle to smoke in the vehicle; or
 - (iii) a self-employed person or worker who is the sole occupant of a work camp living accommodation if:
 - (A) the living accommodation is ventilated separately from other places of employment or enclosed work-related areas; and
 - (B) the self-employed person or worker has the permission of the owner or operator of the work camp to smoke in the living accommodation;
 - (b) no other worker, self-employed person, employer, contractor or owner is present on a frequent and regular basis in any of the places of employment or enclosed work-related areas mentioned in clause (a); and
 - (c) no other worker, self-employed person, employer, contractor or owner is present when the person mentioned in clause (a) is smoking.

- (5) Subject to subsection (6), a worker may refuse to enter an enclosed worksite if:
- (a) visible tobacco smoke is present; or
 - (b) fewer than 30 minutes have passed since a tobacco product was extinguished in the enclosed worksite, whether or not visible tobacco smoke is present.
- (6) Subsection (5) does not apply where the worker is required to enter the enclosed worksite to prevent imminent injury or damage to persons or property located within the enclosed worksite.
- (7) If smoking is permitted pursuant to subsection (3) or (4), an employer, contractor or owner shall:
- (a) restrict workers' exposure or self-employed persons' exposure to second-hand tobacco smoke to the extent that is reasonably practicable; and
 - (b) inform workers and self-employed persons of the risk to their health from second-hand tobacco smoke.
- (8) An employer, contractor or owner shall ensure that in every enclosed place of employment where smoking is prohibited:
- (a) signs are posted in locations that are clearly visible to those entering the enclosed place of employment that indicate that smoking is prohibited; and
 - (b) no ashtray or other receptacle designed to be used as an ashtray is present within the enclosed place of employment.

14 Nov 2008 SR 109/2008 s2; 29 May 2009 SR 54/2009 s2.

Lifting and handling loads

- 78(1) An employer or contractor shall ensure, where reasonably practicable, that suitable equipment is provided and used for the handling of heavy or awkward loads.
- (2) Where the use of equipment is not reasonably practicable, an employer or contractor shall take all practicable means to adapt heavy or awkward loads to facilitate lifting, holding or transporting by workers or to otherwise minimize the manual handling required.
- (3) An employer or contractor shall ensure that no worker engages in the manual lifting, holding or transporting of a load that, by reason of its weight, size or shape, or by any combination of these or by reason of the frequency, speed or manner in which the load is lifted, held or transported, is likely to be injurious to the worker's health or safety.
- (4) An employer or contractor shall ensure that a worker who is to engage in the lifting, holding or transporting of loads receives appropriate training in safe methods of lifting, holding or carrying of loads.

4 Oct 96 cO-1.1 Reg 1 s78.

Standing

79(1) Where workers are required to stand for long periods in the course of their work, an employer or contractor shall provide adequate anti-fatigue mats, footrests or other suitable devices to give relief to workers.

(2) Where wet processes are used, an employer or contractor shall ensure that reasonable drainage is maintained and that false floors, platforms, mats or other dry standing places are provided, maintained and kept clean.

4 Oct 96 cO-1.1 Reg 1 s79.

Sitting

80(1) Where, in the course of their work, workers have reasonable opportunities for sitting without substantial detriment to their work, an employer or contractor shall provide and maintain for their use appropriate seating to enable the workers to sit.

(2) Where a substantial portion of any work can properly be done sitting, an employer or contractor shall provide and maintain:

(a) a seat that is suitably designed, constructed, dimensioned and supported for the worker to do the work; and

(b) where needed, a footrest that can readily and comfortably support the worker's feet.

4 Oct 96 cO-1.1 Reg 1 s80.

Musculoskeletal injuries

81(1) In this section, "**musculoskeletal injury**" means an injury or disorder of the muscles, tendons, ligaments, nerves, joints, bones or supporting vasculature that may be caused or aggravated by any of the following:

- (a) repetitive motions;
- (b) forceful exertions;
- (c) vibration;
- (d) mechanical compression;
- (e) sustained or awkward postures;
- (f) limitations on motion or action;
- (g) other ergonomic stressors.

(2) An employer or contractor, in consultation with the committee, shall regularly review the activities at the place of employment that may cause or aggravate musculoskeletal injuries.

(3) Where a risk of musculoskeletal injury is identified, an employer or contractor shall:

- (a) inform each worker who may be at risk of developing musculoskeletal injury of that risk and of the signs and common symptoms of any musculoskeletal injury associated with that worker's work; and
- (b) provide effective protection for each worker who may be at risk, which may include any of the following:
 - (i) providing equipment that is designed, constructed, positioned and maintained to reduce the harmful effects of an activity;
 - (ii) implementing appropriate work practices and procedures to reduce the harmful effects of an activity;
 - (iii) implementing work schedules that incorporate rest and recovery periods, changes in workload or other arrangements for alternating work to reduce the harmful effects of an activity.

(4) An employer or contractor shall ensure that workers who may be at risk of developing musculoskeletal injury are instructed in the safe performance of the worker's work, including the use of appropriate work practices and procedures, equipment and personal protective equipment.

(5) Where a worker has symptoms of musculoskeletal injury, an employer or contractor shall:

- (a) advise the worker to consult a physician or a health care professional who is registered or licensed pursuant to an Act to practise any of the healing arts; and
- (b) promptly review the activities of that worker and of other workers doing similar tasks to identify any cause of the symptoms and to take corrective measures to avoid further injuries.

4 Oct 96 cO-1.1 Reg 1 s81.

Shift work and constant effort and exertion

82 Where a worker works shifts or a worker's work demands constant and uninterrupted mental effort or constant and uninterrupted physical exertion, an employer or contractor, in consultation with the committee, shall:

- (a) assess the risks to the worker's health and safety of the worker's work; and
- (b) inform the worker of the nature and extent of the risks mentioned in clause (a) and the ways to eliminate or reduce those risks.

4 Oct 96 cO-1.1 Reg 1 s82.

Visually demanding tasks

83(1) An employer or contractor, in consultation with the committee, shall identify any tasks that involve a potentially harmful visual demand on a worker.

(2) An employer or contractor:

- (a) shall take all practicable steps to reduce the harmful visual demand of those tasks;
- (b) shall inform the worker of the risk of performing those tasks;
- (c) shall advise the worker to consult a physician or an optometrist if any persistent vision impairment, disability or visual strain results from performing the tasks;
- (d) where a worker cannot attend a consultation mentioned in clause (c) during the worker's time off work, shall permit the worker to attend the consultation during normal working hours without loss of pay or other benefits; and
- (e) where a worker cannot recover the costs of a consultation mentioned in clause (c), shall reimburse the worker for the costs of the consultation that, in the opinion of the director, are reasonable.

4 Oct 96 cO-1.1 Reg 1 s83.

Radioactive substances

84(1) Subject to *The Radiation Health and Safety Act, 1985* and *The Radiation Health and Safety Regulations*, where a radioactive substance or a device containing a radioactive substance is handled, used, stored or disposed of, an employer:

- (a) in consultation with the committee, the representative or, where there is no committee or representative, the workers, shall develop safe work practices and procedures to handle, use, store and dispose of radioactive substances or devices containing radioactive substances; and
- (b) on request, shall make available to the committee, the representative or the workers any licence issued by the employer pursuant to the *Atomic Energy Control Act* (Canada).

(2) An employer shall ensure that the safe work practices and procedures developed pursuant to clause (1)(a) are implemented.

4 Oct 96 cO-1.1 Reg 1 s84.

Exposure control plan

85(1) In this section:

- (a) **"engineering controls"** means physical controls or barriers that isolate or remove an infectious disease hazard and includes:
 - (i) medical devices approved by Health Canada that have engineered sharps injury protections;
 - (ii) sharps disposal containers;

(iii) needleless systems and needles with engineered sharps injury protections as defined in section 474.1; and

(iv) other devices that isolate or remove sharps hazards;

(b) **“expose”** means harmful contact with an infectious material or organism from inhalation, ingestion, skin or mucous membrane contact or percutaneous injury;

(c) **“exposure control plan”** means an exposure control plan required pursuant to subsection (2);

(d) **“infectious material or organism”** means an infectious material or organism that has been identified in an approved manner as an infectious disease hazard that poses a significantly increased exposure risk to a worker or self-employed person.

(2) If workers are required to handle, use or produce an infectious material or organism or are likely to be exposed at a place of employment, an employer, in consultation with the committee, shall develop and implement an exposure control plan to eliminate or minimize worker exposure.

(3) An exposure control plan must:

(a) be in writing;

(b) identify any workers at the place of employment who may be exposed;

(c) identify categories of tasks and procedures that may put workers at risk of exposure;

(d) describe the ways in which an infectious material or organism can enter the body of a worker and the risks associated with that entry;

(e) describe the signs and symptoms of any disease that may arise for a worker exposed at the place of employment;

(f) describe infection control measures to be used, such as the following:

(i) vaccination;

(ii) engineering controls;

(iii) personal protective equipment;

(iv) safe work practices and procedures; and

(v) standard practices that incorporate universal precautions;

(g) identify the limitations of the infection control measures described pursuant to clause (f);

(h) set out procedures to be followed in each of the following circumstances:

(i) if there has been a spill or leak of an infectious material or organism;

(ii) if a worker has been exposed;

(iii) if a worker believes that he or she has been exposed;

- (i) set out the methods of cleaning, disinfecting or disposing of clothing, personal protective equipment or other equipment contaminated with an infectious material or organism that must be followed and indicate who is responsible for carrying out those activities;
 - (j) describe the training to be provided to workers who may be exposed and the means by which this training will be provided;
 - (k) require the investigation and documentation, in a manner that protects the confidentiality of the exposed worker, of any work-related exposure incident, including the route of exposure and the circumstances in which the exposure occurred; and
 - (l) require the investigation of any occurrence of an occupationally transmitted infection or infectious disease to identify the route of exposure and implement measures to prevent further infection.
- (4) If subsection 85(2) applies to an employer on the day on which this section comes into force or at any time before January 1, 2006, that employer must, no later than January 1, 2006, describe in his or her exposure control plan the steps that will be taken by July 1, 2006 to ensure compliance with this section and, if applicable, subsection 474.1(3).
- (5) No employer shall allow a worker to undertake any tasks or procedures mentioned in clause (3)(c) unless the worker has been trained with respect to the exposure control plan and the use of control measures appropriate for the task or procedure undertaken.
- (6) An employer, in consultation with the committee, shall review the adequacy of the exposure control plan, and amend the plan if necessary, at least every two years or as necessary to reflect advances in infection control measures, including engineering controls.
- (7) An employer shall make a copy of the exposure control plan and any amendments to that plan readily available to every worker who may be exposed.
- (8) An employer shall:
- (a) inform workers who are required to handle, use or produce an infectious material or organism or who may be exposed at a place of employment:
 - (i) of any vaccine recommended for workers with respect to that risk in the *Canadian Immunization Guide*, published by Health Canada, and recommended by:
 - (A) a medical health officer appointed pursuant to *The Public Health Act* or a designated public health officer within the meaning of *The Public Health Act, 1994* whose powers and responsibilities include those set out in Part IV of *The Public Health Act, 1994*; or
 - (B) a physician with expertise in immunization or the control of communicable diseases; and
 - (ii) of the risks associated with taking a vaccine mentioned in subclause (i);

- (b) with the worker's consent, arrange for the worker to receive any vaccination recommended pursuant to subclause (a)(i) during the worker's normal working hours and reimburse the worker for any costs associated with receiving the vaccination; and
 - (c) if a worker cannot receive a vaccination mentioned in subclause (a)(i) during the worker's normal working hours, credit the worker's attendance for the vaccination as time at work and ensure that the worker does not lose any pay or other benefits.
- (9) If a worker has been exposed to blood or potentially infectious bodily fluids at a place of employment, an employer shall, with the consent of the worker, during the worker's normal working hours, arrange for immediate medical evaluation and intervention by a qualified person in an approved manner and for confidential post-exposure counselling.
- (10) If a worker cannot receive medical evaluation, medical intervention or post-exposure counselling during the worker's normal working hours, an employer shall credit the worker's attendance for evaluation, intervention or counselling as time at work and shall ensure that the worker does not lose any pay or other benefits.
- (11) Nothing in these regulations prohibits an employer or contractor from purchasing supplies in bulk together with another employer or contractor but each employer or contractor is responsible for ensuring his or her compliance with these regulations.

4 Nov 2005 SR 112/2005 s4.

PART VII

Personal Protective Equipment

Use of equipment required

- 86(1) Where it is not reasonably practicable to protect the health and safety of workers by design of the plant and work processes, suitable work practices or administrative controls, an employer or contractor shall ensure that every worker wears or uses suitable and adequate personal protective equipment.
- (2) Where personal protective equipment will not effectively protect a worker, an employer or contractor shall, where reasonably practicable, provide alternative work arrangements for that worker.

4 Oct 96 cO-1.1 Reg 1 s86.

General responsibilities

- 87(1) Where an employer or contractor is required by these regulations or any other regulations made pursuant to the Act to provide personal protective equipment, the employer or contractor shall:
- (a) supply approved personal protective equipment to the workers at no cost to the workers;
 - (b) ensure that the personal protective equipment is used by the workers;
 - (c) ensure that the personal protective equipment is at the worksite before work begins;

- (d) ensure that the personal protective equipment is stored in a clean, secure location that is readily accessible to workers;
- (e) ensure that each worker is aware of the location of the personal protective equipment and trained in its use;
- (f) inform the workers of the reasons why the personal protective equipment is required to be used and of the limitations of its protection; and
- (g) ensure that personal protective equipment provided to a worker:
 - (i) is suitable and adequate and a proper fit for that worker;
 - (ii) is maintained and kept in a sanitary condition; and
 - (iii) is removed from use or service when damaged.
- (2) Where an employer or contractor requires a worker to clean and maintain personal protective equipment, the employer shall ensure that the worker has adequate time during normal working hours without loss of pay or other benefits for this purpose.
- (3) Where reasonably practicable, an employer or contractor shall make appropriate adjustments to the work procedures and the rate of work to eliminate or reduce the danger or discomfort to the worker that may arise from the worker's use of personal protective equipment.
- (4) A worker who is provided with personal protective equipment by an employer or contractor shall:
 - (a) use the personal protective equipment; and
 - (b) take reasonable steps to prevent damage to the personal protective equipment.
- (5) Where personal protective equipment provided to a worker becomes defective or otherwise fails to provide the protection it was intended for, the worker shall:
 - (a) return the personal protective equipment to the employer or contractor; and
 - (b) inform the employer or contractor of the defect or other reason why the personal protective equipment does not provide the protection that it was intended to provide.
- (6) An employer or contractor shall immediately repair or replace any personal protective equipment returned to the employer or contractor pursuant to clause (5)(a).

Respiratory protective devices

88(1) Where a worker is likely to be exposed to dust, fumes, gas, mist, aerosol or vapour or any airborne contaminant that may be present in any amounts that are harmful or offensive to the worker, an employer or contractor shall:

- (a) provide an approved respiratory protective device for use by the worker that:
 - (i) provides suitable and adequate protection to the worker from one or more airborne contaminants;
 - (ii) is the proper size for the worker's face;
 - (iii) where a tight fit is essential to the proper functioning of the respiratory protective device, makes an effective seal to the facial skin of the worker; and
 - (iv) where a tight fit is essential to ensure the worker is not exposed to one or more airborne contaminants to an extent that may pose a risk of significant harm to the worker, has been fit-tested by a competent person in an approved manner;
 - (b) ensure that the respiratory protective device is regularly cleaned and maintained in an approved manner; and
 - (c) ensure that the respiratory protective device is kept, when not in use, in a convenient and sanitary location in which the respiratory protective device is not exposed to extremes of temperature or to any contaminant that may inactivate the respiratory protective device.
- (2) If a respiratory protective device as required by subsection (1) is provided to a worker, the employer or contractor shall ensure that the worker:
- (a) has been trained by a competent person in the proper testing, maintenance, use and cleaning of the respiratory protective device and in its limitations;
 - (b) can demonstrate that he or she:
 - (i) understands the training provided pursuant to clause (a);
 - (ii) can test, maintain and clean the respiratory protective device; and
 - (iii) can use the respiratory protective device safely;
 - (c) tests the respiratory protective device before each use;
 - (d) is assessed according to an approved standard as being capable of wearing a respiratory protective device; and
 - (e) is adequately informed respecting the reasons for the assessment required pursuant to clause (d).
- (3) An employer or contractor shall ensure that the training required by clause (2)(a) includes practical experience by the worker in an uncontaminated environment.
- (4) Where respiratory protective devices are used only for emergency purposes, an employer or contractor shall ensure that a worker who may be required to use a respiratory protective device is given semi-annual refresher training in its safe use.

(5) An employer shall ensure that the following records are kept as long as the worker is employed by the employer and made readily available for inspection and examination by the committee or the representative, as the case may be:

- (a) records respecting fit-testing for each worker that is completed pursuant to subclause (1)(a)(iv);
- (b) records respecting the results of assessments for each worker that are completed pursuant to clause (2)(d);
- (c) records respecting training completed by each worker pursuant to subsections (2) and (3).

(6) An employer shall ensure that any records mentioned in clause (5)(b) respecting a worker that are made available for inspection and examination pursuant to subsection (5) do not disclose any personal health information as defined in *The Health Information Protection Act* respecting the worker, unless the worker agrees to that disclosure.

(7) An employer shall ensure that records respecting the maintenance of atmosphere-supplying respirators are kept and made readily available for inspection and examination by the committee or the representative as long as that worker is employed by the employer.

(8) A worker may, at any time, inspect and examine any records kept pursuant to subsection (5) or (7) that relate to the worker.

4 Oct 96 cO-1.1 Reg 1 s88; 31 Jan 97 SR 6/97
s6; 10 Aug 2007 SR 67/2007 s4.

Inspection of respiratory protective devices

89 An employer or contractor shall ensure that:

- (a) any respiratory protective device for emergency use is thoroughly inspected by a competent person at least once a month and after each use;
- (b) the date of every inspection made pursuant to clause (a) and the name of the person who made the inspection are recorded and conspicuously displayed at the location where the respiratory protective device is stored; and
- (c) any defects identified during the inspection carried out pursuant to clause (a) are corrected immediately by a competent person.

4 Oct 96 cO-1.1 Reg 1 s89.

Working in dangerous atmospheres

90(1) Where a worker is required to enter an atmosphere that is immediately dangerous to the life or health of the worker, an employer or contractor shall ensure that the worker is provided with and uses an approved atmosphere-supplying respirator that is:

- (a) an open-circuit SCBA that:
 - (i) operates in a pressure demand or other positive pressure mode;
 - (ii) has a minimum rated capacity of 30 minutes;
 - (iii) is sufficiently charged to enable the worker to perform the work safely; and
 - (iv) is equipped with a low-pressure warning device or an escape respirator;
- (b) an airline respirator equipped with a full facepiece that:
 - (i) operates in a pressure demand or other positive pressure mode; and
 - (ii) has an auxiliary supply of air sufficient to allow the worker to escape in case of failure of the primary air supply equipment; or
- (c) a closed-circuit SCBA.

(2) Where a worker is required to enter an atmosphere that is immediately dangerous to life or health, an employer or contractor shall ensure that:

- (a) a second worker, suitably equipped and trained, is present and in communication with the worker at all times; and
- (b) suitably equipped personnel who are trained in rescue procedures and are fully informed of the hazards are readily available to rescue the endangered worker immediately if the worker's atmosphere-supplying respirator fails or the worker becomes incapacitated for any other reason.

(3) An employer or contractor shall ensure that compressed air in an atmosphere-supplying respirator used by a worker in an atmosphere that is immediately dangerous to the worker's life or health meets the purity requirements set out in Table 2 of the Canadian Standards Association standard CAN3-Z180.1-M85 *Compressed Breathing Air and Systems*.

4 Oct 96 cO-1.1 Reg 1 s90.

Protective headwear

91(1) Where there is a risk of injury to the head of a worker, an employer or contractor shall provide approved industrial protective headwear and require a worker to use it.

(2) The following places are deemed to be places where a worker is exposed to a risk described in subsection (1):

- (a) a mine, mill or smelter;
- (b) a forestry or sawmilling operation;

- (c) a construction site;
 - (d) a drilling operation;
 - (e) an oil or gas servicing operation.
- (3) Where a worker may contact an exposed energized electrical conductor, an employer or contractor shall provide, and require the worker to use, approved industrial protective headwear that is of adequate dielectric strength to protect the worker.
- (4) Where a worker is required by these regulations to use industrial protective headwear, an employer or contractor shall provide to the worker:
- (a) a suitable liner where it is necessary to protect the worker from cold conditions; and
 - (b) a retention system to secure the industrial protective headwear firmly to the worker's head where the worker is likely to work in conditions that may cause the headwear to dislodge.
- (5) An employer or contractor shall ensure that any industrial protective headwear provided to a worker pursuant to these regulations is fluorescent orange or other high visibility colour where:
- (a) the worker is working in a forestry or sawmilling operation; or
 - (b) visibility of the worker is necessary to protect the health and safety of the worker.
- (6) An employer or contractor shall not require or permit a worker to use any industrial protective headwear that:
- (a) is damaged or structurally modified;
 - (b) has been subjected to severe impact; or
 - (c) has been painted or has been cleaned with solvents.

4 Oct 96 cO-1.1 Reg 1 s91.

Workers using all terrain vehicles, snowmobiles, etc.

92(1) In this section:

- (a) **"all terrain vehicle"** means an all terrain vehicle as defined in *The All Terrain Vehicles Act*;
 - (b) **"snowmobile"** means a snowmobile as defined in *The Snowmobile Act*;
 - (c) **"towed conveyance"** means any sled, cutter, trailer, toboggan or carrier that may be towed by a snowmobile or an all terrain vehicle.
- (2) An employer or contractor shall ensure that every worker who is required or permitted to travel in or on an all terrain vehicle, a snowmobile or a towed conveyance is provided with and required to use:
- (a) approved protective headgear; and
 - (b) approved eye or face protectors if the all terrain vehicle, snowmobile or towed conveyance does not have an enclosed cab.

- (3) Subsection (2) does not apply where:
- (a) the all terrain vehicle is equipped with roll-over protective structures and enclosed by a cab that is an integral part of the vehicle; and
 - (b) the worker is provided with a seat-belt secured to the vehicle and is required to use it.
- (4) Where a worker is required by these regulations to use protective headgear while working in cold conditions, the headgear must be equipped with a suitable liner and a cold weather face guard.

4 Oct 96 cO-1.1 Reg 1 s92.

Eye and face protectors

- 93(1)** Where there is a risk of irritation or injury to the face or eyes of a worker from flying objects or particles, splashing liquids, molten metal or ultraviolet, visible or infrared radiation, an employer or contractor shall provide industrial eye or face protectors and require the worker to use them.
- (2) Where an industrial eye or face protector is required by these regulations to be provided or used, the industrial eye or face protector must be approved.
- (3) An employer or contractor shall take all reasonable steps to ensure that a worker does not perform electric arc welding if another worker may be exposed to radiation from the arc, unless the other worker is using a suitable industrial eye protector or is protected from the radiation by a suitable screen.
- (4) A worker shall not perform electric arc welding if another worker may be exposed to radiation from the arc, unless the other worker is using a suitable industrial eye protector or is protected from the radiation by a suitable screen.

4 Oct 96 cO-1.1 Reg 1 s93.

Skin protection

- 94(1)** Where there is a risk of injury to the skin of a worker from sparks, molten metal or radiation, an employer or contractor shall provide, and require the worker to use, approved protective clothing or covers or any other safeguard that provides equivalent protection for the worker.
- (2) Where there is a risk of injury to the skin of a worker from fire or explosion, an employer or contractor shall provide the worker with, and require the worker to use, outer fire resistant clothing that:
- (a) meets an approved industry standard; and
 - (b) is appropriate to the risk.
- (3) Where there is a risk of injury to the skin of an electrical worker from arc flash, an employer or contractor shall provide the electrical worker with, and require the electrical worker to use, arc flash protection that meets an approved standard.

4 Oct 96 cO-1.1 Reg 1 s94; 10 Aug 2007 SR 67/
2007 s5.

Lower body protection

95(1) Where a worker is at risk of a cut, puncture, irritation or abrasion to the worker's lower body, an employer or contractor shall ensure that the worker uses safety pants or chaps that are appropriate for the work being performed by the worker.

(2) A worker operating a chain saw is deemed to be exposed to the risk described in subsection (1).

4 Oct 96 cO-1.1 Reg 1 s95.

Footwear

96(1) Subject to subsection (4), an employer or contractor shall ensure that:

(a) a worker uses footwear that is appropriate to the risks associated with the worker's place of employment and occupation; and

(b) a worker who may be at risk from a heavy or falling object or who may tread on a sharp object uses approved protective footwear.

(2) The following places are deemed to be places where a worker is exposed to a risk described in clause (1)(b):

(a) a mine, mill or smelter;

(b) a forestry or sawmilling operation;

(c) a construction site;

(d) a drilling operation;

(e) an oil or gas servicing operation.

(3) An employer or contractor shall:

(a) provide outer foot guards if there is substantial risk of a crushing injury to the foot of a worker; and

(b) provide approved protective footwear if the feet of a worker may be endangered by hot, corrosive or toxic substances.

(4) After consultation with the committee, the representative or, where there is no committee or representative, the workers, an employer or contractor may:

(a) permit the following to use approved soft-soled footwear without puncture-proof plates in the soles:

(i) workers who are competent steel erectors engaged in the connection of structural components of a skeletal structure;

(ii) competent workers who are engaged in the installation of a roof; and

(b) impose any conditions that the employer or contractor considers appropriate on the use of footwear described in clause (a).

4 Oct 96 cO-1.1 Reg 1 s96.

Hand and arm protection

97(1) An employer or contractor shall provide, and require a worker to use, suitable and properly fitted hand or arm protection to protect the worker from injury to the hand or arm, including:

- (a) injury arising from contact with chemical or biological substances;
- (b) injury arising from exposure to work processes that result in extreme temperatures;
- (c) injury arising from prolonged exposure to water; and
- (d) puncture, abrasion or irritation of the skin.

(2) Where a worker may contact an exposed energized high voltage electrical conductor, an employer or contractor shall provide, and require the worker to use, approved rubber insulating gloves and mitts and approved rubber insulating sleeves.

4 Oct 96 cO-1.1 Reg 1 s97.

Exposure to hazardous substances

98 Where workers are routinely exposed to a hazardous material or substance, an employer or contractor shall provide, and require workers to use, protective clothing, gloves and eyewear or face shields that are adequate to prevent exposure of a worker's skin and mucous membranes to the hazardous material or substance.

4 Oct 96 cO-1.1 Reg 1 s98.

Exposure to noise

99(1) Where a worker is required or permitted by these regulations to use hearing protectors, an employer or contractor shall:

- (a) provide approved hearing protectors; and
- (b) require workers to use those hearing protectors where the worker is required to use hearing protectors by these regulations.

(2) Where practicable, an employer or contractor shall ensure that a hearing protector provided pursuant to subsection (1) reduces the noise level received into the worker's ears to not more than 85 dBA.

(3) Where it is not practicable to comply with subsection (2), an employer or contractor shall ensure that a hearing protector provided pursuant to subsection (1) reduces the noise level received into the worker's ears to the lowest level that is practicable.

(4) Where an employer or contractor provides a worker with a hearing protector that depends for effectiveness on a close approximation of size or shape to the auditory canal of its user, the employer or contractor shall ensure that the hearing protector is fitted to the worker by a competent person.

4 Oct 96 cO-1.1 Reg 1 s99.

100 Repealed. 10 Aug 2007 SR 67/2007 s6.

Lifelines

101(1) Unless otherwise specifically provided, an employer, contractor or owner shall ensure that a lifeline:

- (a) is suitable for the conditions in which the lifeline is to be used, having regard to factors including strength, abrasion resistance, extensibility and chemical stability;
- (b) is made of wire rope or synthetic material;
- (c) is free of imperfections, knots and splices, other than end terminations;
- (d) is protected by padding where the lifeline passes over sharp edges;
- (e) is protected from heat, flame or abrasive or corrosive materials during use;
- (f) is fastened to a secure anchor point that:
 - (i) has a breaking strength of at least 22.2 kilonewtons; and
 - (ii) is not used to suspend any platform or other load; and
- (g) is maintained according to the manufacturer's recommendation.

(1.1) Unless otherwise specifically provided, an employer, contractor or owner shall ensure that there is a lifeline that meets the requirements of this section for every worker.

(2) Unless otherwise specifically provided, an employer or contractor shall ensure that a vertical lifeline required by these regulations has a minimum diameter of:

- (a) 12 millimetres if the lifeline is made of nylon;
- (b) 15 millimetres if the lifeline is made of polypropylene; or
- (c) eight millimetres if the lifeline is made of wire rope.

(3) An employer or contractor shall ensure that where a vertical lifeline is used:

- (a) the lower end extends to the ground or to a safe landing; and
- (b) the lifeline is protected at the lower end to ensure that the line cannot be fouled by any equipment.

(4) Unless otherwise specifically provided, an employer or contractor shall ensure that a horizontal lifeline is:

- (a) either:
 - (i) designed and certified as safe by a professional engineer; or
 - (ii) manufactured to an approved standard; and
- (b) installed and used in accordance with the design mentioned in clause (a) or the manufacturer's recommendations.

Personal fall arrest systems

102(1) An employer or contractor shall ensure that a personal fall arrest system and connecting linkage required by these regulations are approved and maintained.

(2) An employer or contractor shall ensure that a personal fall arrest system required by these regulations:

- (a) prevents a worker from falling more than 1.2 metres without a shock absorber;
- (b) where a shock absorber is used, prevents a worker from falling more than two metres or the limit specified in the manufacturer's specifications, whichever is less;
- (c) applies a peak fall-arrest force not greater than eight kilonewtons to a worker; and
- (d) is fastened to a lifeline or to a secure anchor point that has a breaking strength of at least 22.2 kilonewtons.

10 Aug 2007 SR 67/2007 s8.

Full-body harness

103 Where a full-body harness is used, an employer or contractor shall ensure that:

- (a) the full-body harness and connecting linkage are approved and maintained;
- (b) the full-body harness is properly fitted to the worker;
- (c) the worker is trained in the safe use of the full-body harness;
- (d) all metal parts of the full-body harness and connecting linkage are of drop-forged steel 22.2 kilonewtons proof tested;
- (e) a protective thimble is used to protect ropes or straps from chafing whenever a rope or strap is connected to an eye or a D-ring used in the full-body harness or connecting linkage; and
- (f) the connecting linkage is attached to a personal fall arrest system, lifeline or secure anchor point to prevent the worker from falling more than 1.2 metres.

10 Aug 2007 SR 67/2007 s8.

Snap hooks on personal fall arrest system

104 Where a snap hook is used as an integral component of a personal fall arrest system, connecting linkage, full-body harness or lifeline, an employer or contractor shall ensure that the snap hook is self-locking and is approved and maintained.

10 Aug 2007 SR 67/2007 s8.

Lanyards

105 An employer or contractor shall ensure that a lanyard:

- (a) is as short as work conditions permit;
- (b) is constructed of:
 - (i) nylon, polyester or polypropylene rope or webbing; or
 - (ii) wire rope that is equipped with an approved shock absorbing device;
- (c) is equipped with suitable snap hooks; and
- (d) is approved and maintained.

4 Oct 96 cO-1.1 Reg 1 s105.

Workers' responsibilities re lifelines, etc.

106(1) Before using a lifeline or lanyard, a worker shall ensure that the lifeline or lanyard:

- (a) is free of imperfections, knots and splices, other than end terminations;
 - (b) is protected by padding where the lifeline or lanyard passes over sharp edges; and
 - (c) is protected from heat, flame or abrasive or corrosive materials during use.
- (2) Before using a vertical lifeline, a worker shall ensure that:
- (a) the lower end extends to the ground or to a safe landing; and
 - (b) the lifeline is protected at the lower end to ensure that the line cannot be fouled by any equipment.
- (3) Before using a full-body harness, a worker shall ensure that the full-body harness:
- (a) is properly adjusted to fit the worker securely; and
 - (b) subject to subsection 274(5), is attached by means of a connecting linkage to a fixed anchor or a lifeline.
- (4) A worker who uses a full-body harness and connecting linkage shall ensure that the connecting linkage is attached to a personal fall arrest system, lifeline or a fixed anchor.

4 Oct 96 cO-1.1 Reg 1 s106; 10 Aug 2007 SR 67/
2007 s9.

Inspection of full body harness, etc.

107(1) Where the use of a connecting linkage, personal fall arrest system, full-body harness or lifeline is required by these regulations, an employer or contractor shall ensure that a competent person:

(a) inspects the connecting linkage, personal fall arrest system, full-body harness or lifeline:

(i) as recommended by the manufacturer; and

(ii) after the connecting linkage, personal fall arrest system, full-body harness or lifeline has sustained a fall-arresting incident; and

(b) determines whether the connecting linkage, personal fall arrest system, full-body harness or lifeline is safe for continued use.

(2) An employer or contractor shall ensure that a worker inspects the connecting linkage, personal fall arrest system, full-body harness or lifeline before each use and that where a defect or unsafe condition that may create a hazard to a worker is identified in a connecting linkage, personal fall arrest system, full-body harness or lifeline:

(a) steps are taken immediately to protect the health and safety of any worker who may be at risk until the defect is repaired or the unsafe condition is corrected; and

(b) as soon as is reasonably practicable, the defect is repaired or the unsafe condition is corrected.

10 Aug 2007 SR 67/2007 s10.

Protection against drowning

108(1) In this section:

(a) **“buoyant apparatus”** means a device that is capable of supporting the weight in water of a worker and that is constructed to:

(i) remain stable when floating on either side;

(ii) have no projections that would prevent the buoyant apparatus from sliding easily over the side of a boat or ship; and

(iii) require no adjustment before use;

(b) **“life jacket”** means an approved device that is capable of keeping a worker’s head above water in a face-up position without effort by the worker;

(c) **“personal flotation device”** means an approved device that is capable of keeping a worker’s head above water without effort by the worker, and includes a device that is designed to protect a worker against hypothermia.

(2) Where a worker is required to work at a place from which the worker could fall and drown, and the worker is not protected by a guardrail, an employer or contractor shall:

(a) provide the worker with a life jacket and ensure that the worker uses it, and ensure that the rescue equipment and personnel described in subsection (3) are readily available;

- (b) provide the worker with a full-body harness and lifeline and ensure that the worker uses them; or
 - (c) ensure that a net is installed that is capable of safely catching the worker if the worker falls.
- (3) The rescue equipment and personnel required by clause (2)(a) must consist of:
 - (a) a suitable boat equipped with a boat hook;
 - (b) a buoyant apparatus attached to a nylon rope that is not less than nine millimetres in diameter and not less than 15 metres long; and
 - (c) a sufficient number of properly equipped and trained workers to implement rescue procedures.
- (4) An employer or contractor shall ensure that a life jacket or personal flotation device is provided for each worker who is transported by boat or works from a boat, and that each worker uses the life jacket or personal flotation device at all times when the worker is in the boat.

4 Oct 96 cO-1.1 Reg 1 s108.

PART VIII

Noise Control and Hearing Conservation

General duty

109(1) An employer, contractor or owner shall ensure that all reasonably practicable means are used to reduce noise levels in all areas where workers may be required or permitted to work.

(2) The means to reduce noise levels pursuant to subsection (1) may include any of the following:

- (a) eliminating or modifying the noise source;
- (b) substituting quieter equipment or processes;
- (c) enclosing the noise source;
- (d) installing acoustical barriers or sound-absorbing materials.

4 Oct 96 cO-1.1 Reg 1 s109.

Noise reduction through design, construction of buildings

110 On and after July 1, 1997, an employer, contractor or owner shall ensure that:

- (a) all new places of employment are designed and constructed so as to achieve the lowest reasonably practicable noise level;
- (b) any alteration, renovation or repair to an existing place of employment is made so as to achieve the lowest reasonably practicable noise level; and
- (c) all new equipment to be used at a place of employment is designed and constructed so as to achieve the lowest reasonably practicable noise level.

4 Oct 96 cO-1.1 Reg 1 s110.

Measurement of noise levels

111(1) In every area where workers are required or permitted to work and the noise level may frequently exceed 80 dBA, an employer or contractor shall ensure that:

- (a) the noise level is measured in accordance with an approved method;
 - (b) in consultation with the committee, the representative or, where there is no committee or representative, the workers, a competent person evaluates the sources of the noise and recommends corrective action; and
 - (c) the measurements, evaluation and recommendations are documented.
- (2) An employer or contractor shall re-measure the noise level in accordance with subsection (1) where altering, renovating or repairing the place of employment, introducing new equipment to the place of employment or modifying any process at the place of employment may result in a significant change in noise levels or occupational noise exposure.
- (3) An employer or contractor shall keep a record of the results of any noise level measurements conducted at the place of employment as long as the employer or contractor operates in Saskatchewan.
- (4) On request, an employer or contractor shall make available to an affected worker a copy of the results of any measurements conducted.
- (5) An employer or contractor shall ensure that any area in which the measurements taken pursuant to subsection (1) show noise levels in excess of 80 dBA is clearly marked by a sign indicating the range of noise levels.

4 Oct 96 cO-1.1 Reg 1 s111.

Hearing protection required

112 Where a worker's occupational noise exposure is or is believed to be between 80 dBA L_{ex} and 85 dBA L_{ex} , an employer or contractor shall:

- (a) inform the worker of the hazards of occupational noise exposure;
- (b) on the request of the worker, make available to the worker hearing protectors that meet the requirements of section 99; and
- (c) train the worker in the selection, use and maintenance of the hearing protectors.

4 Oct 96 cO-1.1 Reg 1 s112.

Daily exposure greater than 85 dBA L_{ex}

113(1) Where a worker's occupational noise exposure equals or exceeds 85 dBA L_{ex} , an employer or contractor shall:

- (a) inform the worker of the hazards of occupational noise exposure;
- (b) take all reasonably practicable steps to reduce noise levels in all areas where the worker may be required or permitted to work;
- (c) minimize the worker's occupational noise exposure to the extent that is reasonably practicable; and
- (d) document the steps taken pursuant to clauses (b) and (c).

(2) Where, in the opinion of the employer or contractor, it is not reasonably practicable to reduce noise levels or minimize the worker's occupational noise exposure to less than 85 dBA L_{ex} , an employer or contractor shall provide written reasons for that opinion to the committee and, where there is no committee, shall inform the workers of the reasons for that opinion.

(3) Where it is not reasonably practicable to reduce a worker's occupational noise exposure below 85 dBA L_{ex} or the noise level below 90 dBA in any area where a worker may be required or permitted to work, an employer or contractor shall:

- (a) provide a hearing protector to the worker that meets the requirements of section 99;
- (b) train the worker in the selection, use and maintenance of the hearing protector; and
- (c) arrange for the worker to have, at least once every 24 months during the worker's normal working hours, an audiometric test and appropriate counselling based on the test results under the direction of a physician, an audiologist or a registered nurse who has a certificate in audiometric testing.

(4) Where a worker cannot attend an audiometric test mentioned in clause (3)(c) during the worker's normal working hours, an employer or contractor shall credit the worker's attendance at the test as time at work and ensure that the worker does not lose any pay or other benefits.

(5) Where a worker cannot recover the costs of a audiometric test mentioned in clause (3)(c), an employer or contractor shall reimburse the worker for the costs of the test that, in the opinion of the director, are reasonable.

4 Oct 96 cO-1.1 Reg 1 s113.

Hearing conservation plan

114(1) Where 10 or more workers' occupational noise exposure exceeds or is believed to exceed 85 dBA L_{ex} , an employer or contractor shall, in consultation with the committee:

- (a) develop a hearing conservation plan; and
- (b) review and, where necessary, revise the hearing conservation plan every three years.

(2) An employer or contractor shall implement a hearing conservation plan developed pursuant to subsection (1) and appoint a supervisor to oversee the plan.

(3) A hearing conservation plan must be in writing and must include:

- (a) the methods and procedures to be used in assessing the occupational noise exposure of workers;
- (b) the methods of noise control to be used, including engineering controls and administrative arrangements;
- (c) the selection, use and maintenance of hearing protectors;

- (d) a plan to train workers in the hazards of excessive exposure to noise and the correct use of control measures and hearing protectors;
 - (e) the maintenance of exposure records;
 - (f) the requirements for audiometric tests; and
 - (g) a schedule for reviewing the hearing conservation plan and procedures for conducting the review.
- (4) An employer or contractor shall make a copy of a hearing conservation plan readily available for reference by workers.

4 Oct 96 cO-1.1 Reg 1 s114.

PART IX

Safeguards, Storage, Warning Signs and Signals

Interpretation

115 In this Part, **"toeboard"** means a low vertical guard that is located at the outer edge of a platform, scaffold, floor, stair or walkway and that is designed to prevent materials or equipment from falling over the edge.

4 Oct 96 cO-1.1 Reg 1 s115.

Protection against falling

116(1) In this section and sections 116.1 to 116.3:

- (a) **"anchor point"** or **"anchor plate"** means a secure connecting point capable of safely withstanding the impact forces applied by a fall protection system;
- (b) **"control zone"** means the area within two metres of an unguarded edge of a level, elevated work surface of three metres or more in height;
- (c) **"fall protection system"** means:
 - (i) a control zone as required pursuant to section 116.2;
 - (ii) a personal fall arrest system;
 - (iii) a safety net; or
 - (iv) a travel restraint system;
- (d) **"permanent"** means intended and designed to last indefinitely;
- (e) **"similar barrier"** means any barrier that the employer or contractor can demonstrate provides a level of protection that is at least equivalent to a guardrail;

- (f) **“temporary”** means:
 - (i) designed to be removed by the last workers using it before commissioning or turnover to the contractor or owner; and
 - (ii) intended and designed to last not more than one year;
 - (g) **“travel restraint system”** means a system that prevents a worker from travelling to the edge of a structure or to a work position from which the worker could fall.
- (2) An employer or contractor shall ensure that workers use a fall protection system at a temporary or permanent work area where:
- (a) a worker may fall three metres or more; or
 - (b) there is a possibility of injury if a worker falls less than three metres.
- (3) An employer or contractor shall ensure that a worker at a permanent work area is protected from falling by a guardrail or similar barrier if the worker may fall a vertical distance of more than 1.2 metres and less than three metres.
- (4) Notwithstanding subsection (3), where the use of a guardrail or similar barrier is not reasonably practicable, an employer or contractor shall ensure that a worker uses a travel restraint system.
- (5) Notwithstanding subsection (4), where the use of a travel restraint system is not reasonably practicable, an employer or contractor shall ensure that a safety net or control zone or other equally effective means that protects the worker from falling is used.
- (6) Subsection (2) does not apply to competent workers who are engaged in:
- (a) connecting the structural members of a skeletal steel structure or a pre-cast structure;
 - (b) connecting the support structure of a scaffold;
 - (c) stabilizing or securing the load on a truck or trailer;
 - (d) installing or attaching a fall protection system to the anchor point;
 - (e) removing or disassembling the associated parts of a fall protection system when it is no longer required; or
 - (f) activities within the normal course of business on a permanent loading dock that is not greater than 1.2 metres in height.

Fall protection plan

116.1(1) An employer or contractor shall develop a written fall protection plan where:

- (a) a worker may fall three metres or more; and
 - (b) workers are not protected by a guardrail or similar barrier.
- (2) The fall protection plan required by subsection (1) must describe:
- (a) the fall hazards at the worksite;
 - (b) the fall protection system to be used at the worksite;
 - (c) the procedures used to assemble, maintain, inspect, use and disassemble the fall protection system; and
 - (d) the rescue procedures to be used if a worker falls, is suspended by a personal fall arrest system or safety net and needs to be rescued.
- (3) The employer or contractor shall ensure that a copy of the fall protection plan is readily available before work begins at a worksite where a risk of falling exists.
- (4) The employer or contractor shall ensure that a worker is trained in the fall protection plan and the safe use of the fall protection system before allowing the worker to work in an area where a fall protection system must be used.

10 Aug 2007 SR 67/2007 s11.

Control zone

116.2(1) An employer or contractor shall ensure that a control zone:

- (a) is only used if a worker can fall from a level surface in a work area; and
 - (b) is not less than two metres wide when measured from the unguarded edge.
- (2) When crossing a control zone mentioned in subsection (1), a worker:
- (a) subject to subsection (4) is not required to use a fall protection system, other than the control zone, to enter or leave the work area; and
 - (b) shall follow the most direct route to get to or from the unguarded edge.
- (3) An employer or contractor shall ensure that a control zone is clearly marked with an effective raised warning line or other equally effective method if a worker is working more than two metres from an unguarded edge.
- (4) An employer or contractor shall ensure that a worker who has to work within a control zone uses:
- (a) a travel restraint system; or
 - (b) a means that is as equally effective as a travel restraint system and that prevents the worker from getting to the unguarded edge.

10 Aug 2007 SR 67/2007 s11.

Anchor Points and Anchor Plates

116.3(1) Where a worker uses a personal fall arrest system or a travel restraint system, an employer, contractor or owner shall ensure that an anchor point or anchor plate that meets the requirements of this section is used as part of that system.

(2) An employer, contractor or owner shall ensure that a temporary anchor point used in a travel restraint system:

- (a) has an ultimate load capacity of at least 3.5 kilonewtons (800 pounds-force) per worker attached in any direction in which the load may be applied;
- (b) is installed and used according to the manufacturer's specifications;
- (c) is permanently marked as being for travel restraint only; and
- (d) is removed by the last worker from use on the earlier of:
 - (i) the date the work project for which it is intended is completed; and
 - (ii) the time specified by the manufacturer.

(3) An employer, contractor or owner shall ensure that a permanent anchor point used in a travel restraint system associated with any new construction project on or after the date this section comes into force:

- (a) has an ultimate load capacity of at least 8.75 kilonewtons (2 000 pounds-force) per worker attached in any direction in which the load may be applied;
- (b) is installed and used according to the manufacturer's specifications; and
- (c) is permanently marked as being for travel restraint only.

(4) In the case of a personal fall arrest system installed on or after one year after the date this section comes into force, an employer, contractor, owner or supplier shall ensure that anchor points to which the personal fall arrest system is attached have an ultimate load capacity of at least 22.2 kilonewtons (5000 pounds-force) per worker attached in any direction in which the load may be applied.

(5) An employer, contractor, owner or supplier shall ensure that the following types of equipment that are components of fall protection systems, and their installation, conform to the manufacturer's specifications or are certified by a professional engineer:

- (a) permanent anchor points;
- (b) anchors with multiple attachment points;
- (c) permanent horizontal lifeline systems;
- (d) support structures for safety nets.

Elevated conveyors

117 Where an elevated conveyor crosses over a place where a worker may pass or work, an employer, contractor or owner shall ensure that suitable precautions are taken to prevent materials on the conveyor from falling on the worker.

4 Oct 96 cO-1.1 Reg 1 s117.

Wire mesh

118 Where wire mesh is required by these regulations, the wire mesh must:

- (a) be made from wire that is at least 1.6 millimetres in diameter; and
- (b) have a mesh size that is not greater than 40 millimetres by 40 millimetres.

4 Oct 96 cO-1.1 Reg 1 s118.

Protection against falling objects

119(1) Subject to section 120, where a worker is required to work in an area where the worker may be in danger from a falling object, an employer, contractor or owner shall ensure that the worker is adequately protected by the installation of an overhead barrier.

(2) An employer, contractor or owner shall ensure that every area where a worker could be struck by a falling object is clearly marked by barriers, notices, warning lights or other warning devices.

4 Oct 96 cO-1.1 Reg 1 s119.

Protection from objects falling from scaffolds, etc.

120(1) Where a suspended scaffold, suspended powered scaffold or load-carrying unit is suspended from or attached to a structure, an employer, contractor or owner shall ensure that wire mesh, or other material equally effective to prevent objects from falling from the working surface, is installed from the working surface to a height of at least 900 millimetres on all sides except the side adjacent to the structure.

(2) An employer, contractor or owner shall ensure that wire mesh is installed from the working surface of a platform to a height of two metres on all sides of:

- (a) a tower hoist as defined in section 199;
- (b) a building shaft hoist; and
- (c) a hoist cage in an excavated shaft.

(3) Where it is necessary to hoist or lower materials that are of such a nature that the sides of a cantilever hoist platform or skip cannot be equipped as required by subsection (1), an employer, contractor or owner shall provide another equally effective means for the protection of workers against falling materials.

(4) Where it is necessary for workers to pass through a safeguard required by this section, an employer, contractor or owner shall install a gate that is equally effective to prevent objects from falling from the working surface and shall ensure that the gate is kept closed except when the gate is in use.

4 Oct 96 cO-1.1 Reg 1 s120.

Handrails

121(1) An employer, contractor or owner shall ensure that a stairway with five or more treads:

- (a) is equipped with a handrail that:
 - (i) extends the entire length of the stairway;
 - (ii) is adequately secured to the structure;
 - (iii) is installed on the stairway at a height of between 800 and 920 millimetres above the front edge of the treads; and
 - (iv) is strong enough to support a worker who falls on the stairway; and
 - (b) on an open side, is equipped with both a handrail and an intermediate rail or equivalent safeguard.
- (2) Where a handrail is required for a temporary stairway to which subsection (1) applies, an employer, contractor or owner shall ensure that the handrail is constructed of at least 38 by 89 millimetre construction grade lumber, or material of equivalent strength, and is supported by posts that are not more than three metres apart.

4 Oct 96 cO-1.1 Reg 1 s121.

Guardrails

122(1) Subject to subsections (2) to (4), where the installation of a guardrail is required by these regulations, an employer, contractor or owner shall ensure that the guardrail:

- (a) has a horizontal top member that is not less than 920 millimetres and not more than 1070 millimetres above the working surface;
 - (b) has a horizontal intermediate member that is spaced midway between the horizontal top member and the working surface;
 - (c) is supported for the entire length of the guardrail by vertical members that are:
 - (i) not more than three metres apart, in the case of a guardrail installed before the coming into force of this section; and
 - (ii) where reasonably practicable, not more than 2.4 metres apart, in the case of a guardrail installed on or after the coming into force of this section;
 - (d) is capable of supporting a worker who may fall against the guardrail; and
 - (e) is constructed of 38 by 89 millimetre construction grade lumber or other materials that are of equal or greater strength.
- (2) Clause (1)(a) does not apply to a guardrail that:
- (a) was installed on or before October 30, 1988; and
 - (b) is not less than 900 millimetres nor more than one metre above the working surface.

- (3) A horizontal intermediate member is not required in the case of a temporary guardrail that is manufactured with a substantial barrier completely filling the area enclosed by the horizontal top member, a horizontal bottom member and the vertical members.
- (4) A wire rope guardrail may be used at the external perimeter of a building under construction.
- (5) Where a wire rope guardrail is used pursuant to subsection (4), an employer, contractor or owner shall ensure that:
- (a) the guardrail consists of a horizontal top member and a horizontal intermediate member made of wire rope that is not less than 9.5 millimetres in diameter, with vertical separators not less than 50 millimetres wide that are spaced at intervals not exceeding 2.4 metres;
 - (b) the horizontal top member and horizontal intermediate member are positioned above the working surface in accordance with clauses (1)(a) and (b);
 - (c) the guardrail is kept taut by means of a turnbuckle or other appropriate device; and
 - (d) the guardrail is arranged so that a worker coming into contact with the ropes cannot fall through the ropes.
- (6) An employer, contractor or owner shall ensure that no worker hangs equipment on a guardrail.

4 Oct 96 cO-1.1 Reg 1 s122.

Toeboards

- 123(1)** An employer, contractor or owner shall provide toeboards at the edge of:
- (a) a permanent floor, platform, mezzanine, walkway, ramp, runway or other surface from which it is possible for materials to fall more than 1.2 metres;
 - (b) a temporary scaffold or work platform from which it is possible for materials to fall more than three metres; and
 - (c) a pit for a flywheel or pulley.
- (2) Subsection (1) does not apply to a loading or unloading area if the employer, contractor or owner has taken other precautions to ensure that materials will not fall from the floor or other horizontal surface.
- (3) Where a toeboard is required by these regulations, an employer, contractor or owner shall ensure that the toeboard extends from the floor or other horizontal surface to a height of not less than:
- (a) 125 millimetres from the floor or surface; or
 - (b) 100 millimetres from the floor or surface, in the case of a toeboard that was installed before March 13, 1986.

4 Oct 96 cO-1.1 Reg 1 s123.

Openings in floors, roofs, etc.

124(1) An employer, contractor or owner shall ensure that any opening or hole in a floor, roof or other work surface into which a worker could step or fall is:

- (a) covered with a securely installed covering that is capable of supporting a load of 360 kilograms per square metre and that is provided with a warning sign or permanent marking clearly indicating the nature of the hazard; or
- (b) provided with a guardrail and a toeboard.

(2) Where the covering or guardrail and toeboard mentioned in subsection (1) or any part of the guardrail or toeboard is removed for any reason, an employer, contractor or owner shall immediately provide an effective alternative means of protection.

4 Oct 96 cO-1.1 Reg 1 s124.

Building shafts

125(1) An employer, contractor or owner shall ensure that a work platform that is an integral part of a slip form used in a building shaft is designed by a professional engineer to withstand the maximum foreseeable load and is constructed, erected and used in accordance with that design.

(2) An employer, contractor or owner shall ensure that a platform mentioned in subsection (1) that has been moved is examined by a competent person and that a written report of the examination is made by the person who carried it out and kept by the employer, contractor or owner.

(3) An employer, contractor or owner shall not require or permit a worker to work on a platform mentioned in subsection (1) that has been moved before the platform has been examined in accordance with subsection (2), unless the worker is using a personal fall arrest system, a full-body harness, a lanyard or a lifeline that meets the requirements of Part VII.

(4) Where there is no work platform installed at the level of a doorway or opening in a building shaft, an employer, contractor or owner shall ensure that the doorway or opening is covered by a solid barrier that extends from the bottom of the doorway or opening to a height of at least two metres and is capable of preventing a worker or loose material from falling down the shaft.

(5) An employer, contractor or owner shall ensure that at least one warning sign indicating the presence of an open building shaft is placed on a barrier erected pursuant to subsection (4).

4 Oct 96 cO-1.1 Reg 1 s125; 10 Aug 2007 SR 67/
2007 s12.

Safety nets

126 Where a safety net is required by these regulations, an employer, contractor or owner shall ensure that the safety net:

- (a) is manufactured from rope that is at least:
 - (i) eight millimetres in diameter; and
 - (ii) equivalent in breaking strength to number one grade pure manilla rope nine millimetres in diameter;
- (b) has a mesh size that is not greater than 150 by 150 millimetres;
- (c) has safety hooks or shackles of drop-forged steel that is 22.2 kilonewtons proof tested;
- (d) has joints between the net panels that are equal in strength to the net;
- (e) extends at least two metres beyond, and is not more than six metres below, the work area; and
- (f) is installed and maintained so that, at the maximum deflection of the net when arresting the fall of a worker, no portion of the net contacts another surface.

4 Oct 96 cO-1.1 Reg 1 s126; 10 Aug 2007 SR 67/
2007 s13.

Storage tanks

127(1) Where a worker is regularly required to walk or work on top of a storage tank, an employer, contractor or owner shall ensure that the storage tank is fitted with a permanent walkway with guardrails.

(2) Where a worker is required to walk or work on top of a storage tank, an employer, contractor or owner shall ensure that any opening in the tank into which a worker may fall is guarded by a grid or other suitable means to prevent the worker from falling into the tank.

4 Oct 96 cO-1.1 Reg 1 s127.

Mounting of tires

128(1) Where a worker is required to mount a tire and the maximum inflation pressure is not clearly indicated on the tire wall, an employer shall provide the worker with written instructions specifying the maximum inflation pressures for the various sizes and types of tires normally encountered and ensure that the worker follows those instructions.

(2) An employer shall ensure that a tire and the rim assembly on which the tire is to be mounted are designed and constructed to be compatible with each other.

(3) Where a worker is required to mount a tire on a split-rim assembly or a locking ring assembly, an employer shall:

(a) provide the worker with:

(i) a clamp-on type air hose, an in-line pressure gauge and a positive pressure control; and

(ii) a suitable cage or other restraining device to contain flying parts in the event of a split-rim assembly or locking ring assembly failure or tire rupture; and

(b) ensure that the worker inflates the tire from a safe position out of the immediate danger area.

(4) A worker who is mounting a tire:

(a) before commencing, shall place the tire that is to be mounted on a split rim assembly or locking ring assembly in a cage or restraining device;

(b) shall not inflate the tire in excess of the maximum pressure indicated on the tire wall or listed for the size and type of tire in the written instructions provided pursuant to subsection (1);

(c) shall use a clamp-on type air hose, an in-line pressure gauge and positive pressure control; and

(d) shall inflate the tire from a safe position out of the immediate danger area.

4 Oct 96 cO-1.1 Reg 1 s128; 31 Jan 97 SR 6/97 s7.

Storage of materials

129 An employer, contractor or owner shall ensure that:

(a) no material or equipment is placed, stacked or stored so as to constitute a hazard to workers; and

(b) stacked materials or containers are stabilized, if necessary, by interlocking, strapping or other effective means of restraint.

4 Oct 96 cO-1.1 Reg 1 s129.

Pallets and storage racks

130 An employer, contractor, owner or supplier shall ensure that:

(a) pallets are maintained in a manner that will permit safe lifting of the pallets and the pallets' loads by a forklift truck or other device; and

(b) racks for the storage of material or equipment are:

(i) designed, constructed and maintained to support any load placed on the racks; and

(ii) erected on a firm foundation.

4 Oct 96 cO-1.1 Reg 1 s130.

Pressurized hoses

131 An employer, contractor or owner shall ensure that an effective restraining device is used on a hose, pipe or connection that is under pressure if inadvertent disconnection of the hose, pipe or connection could result in danger to workers.

4 Oct 96 cO-1.1 Reg 1 s131.

Designated signallers

132(1) Where the giving of signals by a designated signaller is required by these regulations, an employer or contractor shall:

- (a) designate a worker to be the designated signaller;
 - (b) ensure that the designated signaller is sufficiently trained to carry out the signaller's duties in a manner that will ensure the signaller's safety and the safety of other workers; and
 - (c) keep a record of the training required by clause (b) and give a copy of the record to the designated signaller.
- (2) An employer or contractor shall:
- (a) provide each designated signaller with, and require the signaller to use, a high visibility vest, armlets or other high visibility clothing, whether the signaller is on a public highway or is at any other place of employment; and
 - (b) provide each designated signaller with a suitable light to signal with during hours of darkness and in conditions of poor visibility.
- (3) An employer or contractor shall:
- (a) install suitably placed signs to warn traffic of the presence of a designated signaller before the signaller begins work; and
 - (b) where reasonably practicable, install suitable overhead lights to illuminate a designated signaller effectively.
- (4) A designated signaller shall ensure that it is safe to proceed with a movement before signalling for that movement to proceed.
- (5) Where the giving of signals by a designated signaller is required by these regulations, an employer or contractor shall ensure that:
- (a) no worker other than the designated signaller gives signals to an operator except in an emergency; and
 - (b) only one designated signaller gives signals to an operator at a time.
- (6) Where hand signals cannot be transmitted properly between a designated signaller and an operator, an employer or contractor shall ensure that additional designated signallers are available to effect proper transmission of signals or that some other means of communication is provided.
- (7) Where two or more designated signallers are used, an employer or contractor shall ensure that the designated signallers are able to communicate effectively with each other.

4 Oct 96 cO-1.1 Reg 1 s132.

Risk from vehicular traffic

133(1) An employer or contractor shall ensure that a worker who is at risk from vehicular traffic, whether on a public highway or at any other place of employment, is provided with and required to use a high visibility vest, armlets or other high visibility clothing.

(2) Where there is a danger to a worker from vehicular traffic on a public highway, an employer or contractor shall develop and implement a traffic control plan, in writing, to protect the worker from traffic hazards by the use of one or more of the following:

- (a) warning signs;
- (b) barriers;
- (c) lane control devices;
- (d) flashing lights;
- (e) flares;
- (f) conspicuously identified pilot vehicles;
- (g) automatic or remote-controlled traffic control systems;
- (h) designated signallers directing traffic.

(3) An employer or contractor shall ensure that:

- (a) workers are trained in the traffic control plan developed pursuant to subsection (2); and
- (b) the traffic control plan developed pursuant to subsection (2) is made readily available for reference by workers at the place of employment.

(4) An employer or contractor shall use designated signallers to control traffic on a public highway only where other methods of traffic control are not adequate or suitable.

(5) Where designated signallers are used to control traffic on a public highway, an employer or contractor shall provide:

- (a) at least one designated signaller if:
 - (i) traffic approaches from one direction only; or
 - (ii) traffic approaches from both directions and the designated signaller and the operator of an approaching vehicle would be clearly visible to one another; and
- (b) at least two designated signallers if traffic approaches from both directions and the designated signaller and the operator of an approaching vehicle would not be clearly visible to one another.

(6) Where there is or may be a hazard to a worker from traffic at a place of employment other than a public highway, an employer or contractor shall develop and implement a traffic control plan to protect the worker from traffic hazards.

(7) A traffic control plan required by subsection (6) must:

- (a) be in writing;
- (b) be made readily available for reference by workers at the place of employment; and
- (c) set out, where appropriate:
 - (i) the maximum allowable speed of any vehicle or class of vehicles, including powered mobile equipment, in use at the place of employment;
 - (ii) the maximum operating grades;
 - (iii) the location and type of control signs;
 - (iv) the route to be taken by vehicles or powered mobile equipment;
 - (v) the priority to be established for classes of vehicle;
 - (vi) the location and type of barriers or restricted areas; and
 - (vii) the duties of workers and the employer or contractor.

(8) A worker who operates a vehicle or unit of powered mobile equipment at a place of employment and who does not have a clear view of the path to be travelled shall not proceed until a person who has a clear view of the path to be travelled by the vehicle or unit of powered mobile equipment signals to the worker that it is safe to proceed.

(9) Where a provision of this section conflicts with a provision of *The Highway Traffic Act*, *The Highways and Transportation Act*, *The Vehicle Administration Act*, a regulation made pursuant to any of those Acts or a bylaw of a municipality made pursuant to *The Urban Municipality Act, 1984*, *The Rural Municipality Act, 1989* or *The Northern Municipalities Act*, the provision of the other statute, regulation or bylaw prevails.

(10) Nothing in this section applies to a peace officer in the performance of the peace officer's duties.

PART X Machine Safety

Operation by workers

134(1) An employer or contractor shall ensure that:

- (a) machines are operated only by a competent worker; and
 - (b) workers are informed of any risk associated with, and trained in the safe use of, the machines.
- (2) Before starting a machine, an operator shall ensure that neither the operator nor any other worker will be endangered by starting the machine.
- (3) Where a worker or a worker's clothing may contact a moving part of a machine, an employer or contractor shall ensure that the worker:
- (a) wears close-fitting clothing;
 - (b) confines or cuts short any head and facial hair; and
 - (c) does not wear dangling neckwear or jewellery, rings or other similar items.

4 Oct 96 cO-1.1 Reg 1 s134.

Operating controls

135(1) Where reasonably practicable, an employer, contractor or supplier shall ensure that operating controls on machines:

- (a) are located within easy reach of the operator; and
 - (b) cannot be activated by accidental contact.
- (2) Where reasonably practicable, an employer, contractor or supplier shall ensure that stopping devices on machines are:
- (a) located in the direct view and within easy reach of the operator; and
 - (b) readily identifiable.
- (3) Where a worker is required to feed material into a material-forming press, punch, shear or similar machine, an employer, contractor or supplier shall:
- (a) where practicable, install a positive means to prevent the activation of the machine while any part of the worker's body could be injured by moving parts of the machine; or
 - (b) where it is not practicable to comply with clause (a), install safeguards to prevent the worker from contacting a moving part of the machine.

4 Oct 96 cO-1.1 Reg 1 s135.

Unattended and suspended machines

136(1) An employer or contractor shall not require or permit a worker to leave unattended or in a suspended position any machine or any part of a machine unless the machine or part has been:

- (a) immobilized and secured against accidental movement; or
- (b) enclosed by a safeguard to prevent access by any other worker to the machine or part.

(2) A worker shall not leave unattended or in a suspended position any machine or any part of a machine unless the machine or part has been:

- (a) immobilized and secured against accidental movement; or
- (b) enclosed by a safeguard to prevent access by any other worker to the machine or part.

4 Oct 96 cO-1.1 Reg 1 s136.

Safeguards

137(1) Except where otherwise provided by these regulations, an employer or contractor shall provide an effective safeguard where a worker may contact:

- (a) a dangerous moving part of a machine;
- (b) a pinch point, cutting edge or point of a machine at which material is cut, shaped, bored or formed;
- (c) an open flame;
- (d) a steam pipe or other surface with a temperature that exceeds or may exceed 80° Celsius; or
- (e) a cooled surface that is or may be less than minus 80° Celsius.

(2) An employer or contractor shall ensure that a safeguard required by subsection (1) remains in place at all times.

(3) Subsection (1) does not apply to:

- (a) a machine that is equipped with an effective safety device that stops the machine automatically before any part of a worker's body comes into contact with a hazard mentioned in clause (1)(a) or (b); or
- (b) a belt, rope or chain that is operated from a cathead or capstan.

(4) An employer or contractor shall ensure that a safeguard that is removed from a machine or made ineffective to permit maintenance, testing, repair or adjustment of a machine is replaced or made effective before a worker is required or permitted to use the machine.

(5) Where there is a possibility of machine failure and of injury to a worker resulting from the failure, an employer or contractor shall install safeguards that are strong enough to withstand the impact of debris from the machine failure and to contain any debris resulting from the failure.

4 Oct 96 cO-1.1 Reg 1 s137.

Warning systems

138(1) Where the circumstances described in subsection (2) exist, an employer or contractor shall install:

- (a) an audible alarm system that provides a warning of sufficient volume and for a sufficient period before start-up of the machine to give workers timely notice of the imminent start-up; or
- (b) a distinctive and conspicuous visual warning system to alert workers of the imminent start-up of the machine.

(2) Subsection (1) applies where:

- (a) a worker may be endangered by moving machine parts when a machine is started; and
- (b) the operator of the machine does not have a clear view from the operating position of all parts of the machine and of the surrounding area in which there is a potential danger.

(3) An employer or contractor shall place adequate, appropriate and clearly visible warning signs at each point of access to a machine that starts automatically.

4 Oct 96 cO-1.1 Reg 1 s138.

Locking out

139(1) Subject to section 140, before a worker undertakes the maintenance, repair, test or adjustment of a machine other than a power tool, an employer or contractor shall ensure that the machine is locked out and remains locked out during that activity if not doing so would put the worker at risk.

(2) Before a worker undertakes the maintenance, repair, test or adjustment of a power tool, an employer or contractor shall ensure that the energy source has been isolated from the power tool, any residual energy in the power tool has been dissipated and the energy source remains isolated during that activity.

(3) An employer or contractor shall:

- (a) provide a written lock-out process to each worker who is required to work on a machine to which subsection (1) applies; and
- (b) where the lockout process uses a lock and key, issue to that worker a lock that is operable only by that worker's key and a duplicate key.

(4) Where the lockout process does not use a lock and key, an employer or contractor shall designate a person to co-ordinate and control the lockout process.

(5) Where the lockout process uses a lock and key, an employer or contractor shall designate a person to keep the duplicate key mentioned in clause (3)(b) and ensure that:

- (a) the duplicate key is accessible only to the designated person; and
- (b) a log book is kept to record the use of the duplicate key and the reasons for that use.

(6) Where it is not practicable to use a worker's key to remove a lock, an employer or contractor may permit the person designated pursuant to subsection (5) to remove the lock if the designated person:

- (a) has determined the reason that the worker's key is not available;
- (b) has determined that it is safe to remove the lock and activate the machine; and
- (c) if a committee or representative is in place, has informed the co-chairpersons or the representative of the proposed use of the duplicate key before it is used.

(7) An employer or contractor shall ensure that a designated person who is permitted to use a duplicate key pursuant to subsection (6):

- (a) records in the log book the use of the duplicate key, the reason for its use and the date of its use; and
- (b) signs the log book each time that the duplicate key is used.

(8) Where a central automated system controls more than one machine, an employer or contractor shall ensure that the machine to be maintained, repaired, tested or adjusted is isolated from the central system before the lock-out procedures required by subsection (3) are implemented.

(9) Before undertaking any maintenance, repairs, tests or adjustments to a machine to which subsection (1) applies, a worker shall lock out the machine following the process mentioned in clause (3)(a).

(10) After a lock-out device has been installed or a lockout process has been initiated, the worker who installed the first lock or initiated the process shall check the machine to ensure that the machine is inoperative.

(11) No person shall deactivate a lockout process that does not use a lock and key except the person designated pursuant to subsection (4).

(12) No person shall remove a lock-out device except the worker who installed the lock-out device or the designated person acting in accordance with subsection (6).

4 Oct 96 cO-1.1 Reg 1 s139.

Cleaning, etc., of machine or other equipment in motion

140(1) This section applies where any of the following requires cleaning, lubrication or adjustment while all or any part of a machine or other piece of equipment is in motion or under power:

- (a) the machine or other piece of equipment;
- (b) a part of the machine or of the piece of other equipment; or
- (c) any material on the machine or on the piece of equipment.

(2) In the circumstances mentioned in subsection (1), an employer or contractor shall:

- (a) develop and implement written work practices and procedures that ensure that the cleaning, lubrication or adjustment is carried out in a safe manner;
- (b) ensure that workers who are required to perform the cleaning, lubrication or adjustment are trained in the written work practices and procedures mentioned in clause (a); and
- (c) ensure that a copy of the written work practices and procedures mentioned in clause (a) is readily available for reference by workers.

10 Aug 2007 SR 67/2007 s14.

Belts

141(1) An employer or contractor shall ensure that a permanent belt shifter is:

- (a) provided for all loose pulleys on any machine; and
- (b) constructed so that the belt cannot creep back on to the tight pulley.

(2) An employer or contractor shall ensure that a worker does not shift a belt on a machine by hand while the belt is in motion.

4 Oct 96 cO-1.1 Reg 1 s141.

Air-actuated fastening tools

142 An employer or contractor shall ensure that a worker does not hold the trigger of an air-actuated fastening tool mechanically in the operating position unless the tool is specifically designed to be used in that manner.

4 Oct 96 cO-1.1 Reg 1 s142.

Explosive-actuated fastening tools

143(1) In this section, "**explosive-actuated fastening tool**" means a machine that propels or discharges, by means of an explosive force, a fastening device to attach the fastening device on, affix the fastening device to or cause the fastening device to penetrate another object or material.

(2) An employer or contractor shall ensure that a worker who operates explosive-actuated fastening tool systems is trained in and uses safe work procedures for any explosive-actuated fastening tool that the worker may operate, including:

- (a) the selection of the appropriate tool, accessories, fastener and power load for each application;
- (b) the limitations of each type of tool, fastener and power load; and
- (c) the maintenance, inspection and use of the tool.

(3) An employer or contractor shall ensure that a worker who operates an explosive-actuated fastening tool:

- (a) does not leave the tool or explosive charges unattended;
- (b) stores the tool and explosive charges in a locked container when not in use; and
- (c) uses an industrial eye or face protector that meets the requirements of Part VII.

4 Oct 96 cO-1.1 Reg 1 s143.

Airless spray units

144 Where a worker is required or permitted to use an airless spray unit that is capable of operating at a pressure greater than seven megapascals, an employer or contractor shall ensure that:

- (a) the gun, the reservoir and the pump are bonded to ground with a single continuous approved bonding conductor; and
- (b) the gun is fitted with suitable tip and trigger guards.

4 Oct 96 cO-1.1 Reg 1 s144.

Grinding machines

145(1) An employer or contractor shall ensure that:

- (a) no abrasive wheel is operated:
 - (i) unless it is equipped with blotters installed according to the manufacturer's recommendations and a safeguard; or
 - (ii) at a speed in excess of the manufacturer's recommendations;
- (b) the maximum speed of each grinder shaft in revolutions per minute is permanently marked on the grinder; and
- (c) the mounting flanges for an abrasive wheel have an equal and correct diameter for the wheel.

(2) Where a tool rest is installed on a fixed grinder, an employer or contractor shall ensure that the tool rest is:

- (a) installed in a manner that is compatible with the work process;
- (b) securely attached to the grinder; and
- (c) set not more than three millimetres from the face of the wheel or below the horizontal centre line of the wheel.

(3) An employer or contractor shall not require or permit a worker to use the sides of an abrasive wheel for grinding unless the abrasive wheel is designed for that use.

- (4) An employer or contractor shall ensure that a worker who operates a grinder:
 - (a) is provided with and uses the following personal protective equipment that meets the requirements of Part VII:
 - (i) an industrial eye or face protector;
 - (ii) hand or arm protection; and
 - (b) is instructed in the potential hazards and safe use of the grinder.

4 Oct 96 cO-1.1 Reg 1 s145.

Chain saws

146(1) An employer, contractor or supplier shall ensure that a chain saw is:

- (a) equipped with an effective chain brake or a chain and bar that is designed to minimize the possibility of a kickback; and
 - (b) designed and constructed so that the chain stops when the engine is at idle.
- (2) Where a chain saw is to be used by a worker operating from an elevated cage or basket, the width of which is less than twice the length of the chain saw, an employer or contractor shall ensure that a secondary platform is installed outside the cage or basket and is used to store the chain saw and to start the chain saw engine.
- (3) An employer or contractor shall ensure that a worker who operates a chain saw:
- (a) stops the chain while the worker is walking with the saw;
 - (b) does not operate the saw at a height that is higher than the worker's shoulder level;
 - (c) holds the saw firmly in both hands while operating the saw; and
 - (d) maintains the chain saw, cutting chain and safeguards in safe operating condition.
- (4) A worker who operates a chain saw:
- (a) shall stop the chain while the worker is walking with the saw;
 - (b) shall not operate the saw at a height that is higher than the worker's shoulder level;
 - (c) shall hold the saw firmly in both hands while operating the saw;
 - (d) shall maintain the chain saw, cutting chain and safeguards in safe operating condition; and
 - (e) shall maintain the chain saw so that the chain stops when the engine is at idle.

4 Oct 96 cO-1.1 Reg 1 s146.

Circular saws

147(1) Subject to subsection (2), where a circular saw blade develops a crack in the outside diameter of the saw blade, an employer or contractor shall ensure that the blade is discarded unless:

- (a) the blade is effectively repaired by a competent person; and
 - (b) the original blade tension is restored.
- (2) An employer or contractor shall ensure that a circular saw blade that develops a crack from the eye or the collar is discarded.
- (3) An employer, contractor or supplier shall ensure that a portable hand-operated circular saw is equipped with a safeguard that will automatically cover the exposed part of the blade during use and the entire blade when the saw is not in use.

4 Oct 96 cO-1.1 Reg 1 s147.

Power-fed circular saws

148(1) An employer, contractor or supplier shall ensure that a power-fed circular rip saw with horizontal, power-driven feed rolls is equipped with a sectional non-kickback device located in front of the saw blade and across the full width of the rolls.

- (2) An employer, contractor or supplier shall ensure that a power-fed circular rip saw:
- (a) is equipped with a splitter that extends to the height of the top of the saw blade; and
 - (b) has a saw blade that is equipped with a safeguard or located so that a worker cannot reach it.

4 Oct 96 cO-1.1 Reg 1 s148.

Band-saws

149(1) Where a band-saw blade develops a crack the depth of which is more than 5% of the width of the saw blade, an employer or contractor shall ensure that the blade is discarded unless:

- (a) the width of the blade is reduced so as to eliminate the crack; or
 - (b) the cracked section is repaired by a competent person.
- (2) An employer, contractor or supplier shall ensure that a band-saw has an automatic tension control device.

4 Oct 96 cO-1.1 Reg 1 s149.

Cut-off saws

150 An employer, contractor or supplier shall ensure that:

- (a) a hand-operated, sliding or swing cut-off saw is equipped with a device that will return the saw automatically to the back of the table when the saw is released at any point in the saw's travel; and
- (b) a limit device is installed on a swing or sliding cut-off saw to prevent the saw from travelling beyond the outside edge of the cutting table.

4 Oct 96 cO-1.1 Reg 1 s150.

Pushblocks and pushsticks**151(1)** In this section:

- (a) **"pushblock"** means a short block of wood with a shoulder at the rear that is provided with a suitable handle that will engage with the shoulder;
- (b) **"pushstick"** means a narrow strip of wood or other suitable material with a notch cut into one end.

(2) An employer or contractor shall ensure that a worker uses a pushstick or pushblock to feed wood or other material into any machine that is used for cutting or shaping the wood or other material.

4 Oct 96 cO-1.1 Reg 1 s151.

Hand-fed planers and joiners

152(1) An employer or contractor shall ensure that a hand-fed planer or joiner is operated at a height that is suitable for the worker who operates it.

(2) An employer, contractor or supplier shall ensure that a hand-fed planer or joiner with a horizontal cutting head has an automatic safeguard that will cover all sections of the head on the working side of the safeguard when material is not being cut.

4 Oct 96 cO-1.1 Reg 1 s152.

PART XI

Powered Mobile Equipment

Interpretation**153** In this Part:

- (a) **Repealed.** 10 Aug 2007 SR 67/2007 s15.
- (b) **"hours of darkness"** means:
 - (i) the period from one-half hour after sunset to one hour before sunrise; or
 - (ii) any time when, because of insufficient light or unfavourable atmospheric conditions, persons or vehicles are not clearly discernable at a distance of 150 metres.

4 Oct 96 cO-1.1 Reg 1 s153; 10 Aug 2007 SR 67/2007 s15.

Trained operators for powered mobile equipment**154(1)** In this section:

- (a) **"farming or ranching operation"** includes any of the following operations:
 - (i) the production of crops, including fruits and vegetables, seeds and animal feed, through the cultivation of land;
 - (ii) the drying, cleaning, handling and transporting of grain by the original producer of that grain;

- (iii) feedlot and intensive livestock operations;
 - (iv) the production of raw milk;
 - (v) the operation of greenhouses;
 - (vi) the operation of herb or mushroom farms;
 - (vii) the raising of animals used in the production of food, including horses;
 - (viii) the keeping of bees;
 - (ix) the operation of sod farms;
 - (x) the operation of tree nurseries;
- (b) **“trained operator”** means a worker who:
- (i) has successfully completed a training program that includes all of the elements set out in Table 14.1 of the Appendix for the type of powered mobile equipment that the worker will be required or permitted to operate; or
 - (ii) is completing the practical training required by Table 14.1 of the Appendix under the direct supervision of a competent operator within the meaning of subclause (i).
- (2) Subject to subsection (4), every employer or contractor shall ensure that only trained operators are required or permitted to operate powered mobile equipment.
- (3) An employer or contractor shall ensure that:
- (a) the training required by Table 14.1 of the Appendix is provided by competent persons; and
 - (b) a written record of all training delivered to workers pursuant to this section and Table 14.1 of the Appendix is kept readily available.
- (4) This section does not apply to persons directly engaged in a farming or ranching operation.

6 Mar 2009 SR 18/2009 s3.

Visual inspection

155(1) Before a worker starts any powered mobile equipment, an employer or contractor shall ensure that the worker makes a complete visual inspection of the equipment and the surrounding area to ensure that no worker, including the operator, is endangered by the start-up of the equipment.

(2) No worker shall start any powered mobile equipment until the inspection required by subsection (1) is completed.

4 Oct 96 cO-1.1 Reg 1 s155.

Inspection and maintenance

156 An employer or contractor shall ensure that:

- (a) all powered mobile equipment is inspected by a competent person for defects and unsafe conditions as often as is necessary to ensure that it is capable of safe operation;
- (b) where a defect or unsafe condition that may create a hazard to a worker is identified in the powered mobile equipment:
 - (i) steps are taken immediately to protect the health and safety of any worker who may be at risk until the defect is repaired or the unsafe condition is corrected; and
 - (ii) as soon as is reasonably practicable, the defect is repaired or the unsafe condition is corrected; and
- (c) a written record of the inspections and maintenance carried out pursuant to clauses (a) and (b) is kept at the place of employment and made readily available to the operator.

4 Oct 96 cO-1.1 Reg 1 s156.

Requirements for powered mobile equipment

157(1) An employer, contractor or supplier shall ensure that each unit of powered mobile equipment is equipped with:

- (a) a device within easy reach of the operator that will permit the operator to stop as quickly as possible any ancillary equipment driven from the powered mobile equipment, including any power take-off, crane and auger and any digging, lifting and cutting equipment;
 - (b) a horn or other audible warning device;
 - (c) seats that are designed and installed to ensure the safety of all workers required or permitted to be in or on the equipment while the equipment is in motion except where the powered mobile equipment is designed to be operated from a standing position; and
 - (d) an effective braking system and an effective parking device.
- (2) Where a unit of powered mobile equipment is operated during hours of darkness in an area that is not adequately illuminated, an employer, contractor or supplier shall ensure that it is equipped with suitable headlights and back-up lights that clearly illuminate the path of travel.
- (3) Where a unit of powered mobile equipment has a windshield, an employer, contractor or supplier shall ensure that it is equipped with suitable windshield washers and wipers.
- (4) Where a unit of powered mobile equipment is fitted with roll-over protective structures, an employer, contractor or supplier shall ensure that the equipment is equipped with:
- (a) seat-belts for the operator and any other worker who is required or permitted to be in or on the equipment while the equipment is in motion; or

(b) shoulder belts, bars, gates, screens or other restraining devices designed to prevent the operator and any other worker from being thrown outside the roll-over protective structures if the work process renders the wearing of a seat-belt impracticable.

(5) Where there is a danger to the operator of a unit of powered mobile equipment or any other worker who is required or permitted to be in or on a unit of powered mobile equipment from a falling object or projectile, an employer, contractor or supplier shall ensure that the powered mobile equipment is equipped with a suitable and adequate cab, screen or guard.

4 Oct 96 cO-1.1 Reg 1 s157.

Construction, repair, etc., of powered mobile equipment

157.1 An employer, contractor, owner or supplier shall ensure that each unit of powered mobile equipment is constructed, structurally repaired, inspected, tested, maintained and operated in accordance with the manufacturer's specifications or an approved standard.

10 Aug 2007 SR 67/2007 s17.

Use of seat-belt or restraint by operator

158 An employer or contractor shall ensure that the operator of a unit of powered mobile equipment uses the seat-belt or other restraining device required by subsection 157(4).

4 Oct 96 cO-1.1 Reg 1 s158.

Protection against shifting of load

159 An employer or contractor shall install a bulkhead or other effective restraining device to protect the operator and any other worker who is required or permitted to be in or on powered mobile equipment used to transport equipment or materials that may shift under emergency stopping conditions and endanger the operator or other worker.

4 Oct 96 cO-1.1 Reg 1 s159.

Warning of reverse motion

160 An employer, contractor or supplier shall ensure that a motor vehicle or unit of powered mobile equipment that may be used in such a way that a worker other than the operator may be placed at risk by an unexpected reverse movement is equipped with a suitable warning device that operates automatically when the vehicle or equipment starts to move in reverse.

4 Oct 96 cO-1.1 Reg 1 s160.

Roll-over protective structures

161(1) An employer, contractor or supplier shall ensure that no unit of powered mobile equipment that is equipped with an engine rated at 15 kilowatts or more and is in any of the following categories is used unless it is fitted with a roll-over protective structure that meets the requirements of subsection (2):

- (a) motor grader;
- (b) crawler tractor, other than one that operates with side booms;

- (c) wheeled or tracked dozer and loader, other than one that operates with side booms;
 - (d) self-propelled wheeled scraper;
 - (e) self-propelled roller;
 - (f) compactor;
 - (g) rubber-tired tractor;
 - (h) skidder.
- (2) Except as otherwise provided in these regulations, an employer, contractor or supplier shall ensure that a roll-over protective structure required by subsection (1):
- (a) is designed, manufactured and installed to meet the requirements of an approved standard; and
 - (b) has the following information permanently and legibly marked on the structure:
 - (i) the manufacturer's name and address;
 - (ii) the model and serial number;
 - (iii) the make and model or series number of the machines that the structure is designed to fit;
 - (iv) an identification of the standard to which the structure was designed, manufactured and installed.
- (3) Where a roll-over protective structure required by subsection (1) is not available, an employer, contractor or supplier shall ensure that a unit of powered mobile equipment mentioned in subsection (1) is equipped with a roll-over protective structure that is:
- (a) designed by a professional engineer;
 - (b) designed and fabricated so that the structure and supporting attachments will support at least twice the weight of the equipment to which the structure is to be fitted, based on the ultimate strength of the metal and integrated loading of structural members, with the resultant load applied at the point of impact; and
 - (c) installed to have a vertical clearance of 1.2 metres between the decks and the structures at the point of operator entrance or exit.
- (4) A roll-over protective structure that was installed on powered mobile equipment on or before the day on which these regulations come into force and that was designed and manufactured to meet any standard described in section 200 of *The Occupational Health and Safety Regulations* as that section existed immediately before these regulations come into force is deemed to meet the requirements of this section.
- (5) An employer, contractor or supplier shall ensure that all modifications or repairs to existing roll-over protective structures are certified as meeting the requirements of this section by a professional engineer.
- (6) This section does not apply to equipment that is used underground in a mine and that is governed by *The Mines Regulations*.

Transparent materials used in cabs, etc.

162(1) An employer, contractor or supplier shall ensure that any transparent material used as part of the enclosure for a cab, canopy or roll-over protective structure on powered mobile equipment is made of safety glass or another material that gives at least equivalent protection against shattering.

(2) An employer, contractor or supplier shall ensure that any defective glass or other transparent material in a cab, canopy or roll-over protective structure that creates or may create a hazard is removed and replaced.

4 Oct 96 cO-1.1 Reg 1 s162.

Fuel tanks in enclosed cabs

163 Where a unit of powered mobile equipment is equipped with an enclosed cab, an employer, contractor or supplier shall ensure that a fuel tank located in the enclosed cab has a filler spout and vents that extend to the outside of the cab.

4 Oct 96 cO-1.1 Reg 1 s163.

Dangerous movements

164(1) Where a worker may be endangered by the swinging movement of a load or a part of a unit of powered mobile equipment, an employer or contractor shall not require or permit a worker to remain within range of the swinging load or part.

(2) Where a worker may be required or permitted to perform maintenance, repairs or other work on or under an elevated part of a unit of powered mobile equipment, an employer or contractor shall ensure that the elevated part is securely blocked to prevent accidental movement.

(3) An operator of a unit of powered mobile equipment shall not move or cause to be moved any load or part of the equipment when a worker may be endangered by that movement.

4 Oct 96 cO-1.1 Reg 1 s164.

Transporting workers

165(1) An employer or contractor shall ensure that no worker is transported on a vehicle or a unit of powered mobile equipment unless the worker is seated and secured by a seat-belt or other restraining device that is designed to prevent the worker from being thrown from the vehicle or equipment while the vehicle or equipment is in motion.

(2) An employer or contractor shall ensure that no worker is transported on the top of a load that is being moved by a vehicle or a unit of powered mobile equipment.

(3) An employer or contractor shall ensure that no worker places equipment or material in a compartment of a vehicle or powered mobile equipment in which the operator or another worker is being transported unless the equipment or material is positioned or secured so as to prevent injury to the operator or the other worker.

(4) Where an open vehicle or unit of powered mobile equipment is used to transport a worker, an employer or contractor shall ensure that the worker is restrained from falling from the vehicle or powered mobile equipment and that no part of the worker's body protrudes beyond the side of the vehicle or powered mobile equipment.

(5) An employer or contractor shall ensure that sufficient protection against inclement weather is provided for workers who are required to travel in a vehicle or a unit of powered mobile equipment.

(6) Where a vehicle or unit of powered mobile equipment with an enclosed body is used to transport workers, an employer, contractor or supplier shall ensure that the exhaust outlet of the engine is located so that exhaust gases cannot enter the enclosed body.

4 Oct 96 cO-1.1 Reg 1 s165.

Ladders attached to extending boom

166(1) An employer or contractor shall ensure that:

(a) subject to subsection (2), no worker is on a ladder that is attached as a permanent part of an extending boom on powered mobile equipment during any movement of the equipment, including extension or retraction of the boom;

(b) where outriggers are incorporated into powered mobile equipment, no worker climbs a ladder attached to an extending boom unless the outriggers are deployed; and

(c) no worker operates any powered mobile equipment equipped with an extending boom unless the powered mobile equipment is stable under all operating conditions.

(2) Clause (1)(a) does not apply to firefighting equipment.

4 Oct 96 cO-1.1 Reg 1 s166.

Forklifts

167(1) An employer, contractor or supplier shall ensure that every forklift:

(a) is provided with a durable and clearly legible load rating chart that is readily available to the operator; and

(b) is equipped with a seat-belt for the operator if the forklift is equipped with a seat.

(2) An employer or contractor shall ensure that the operator of a forklift uses the seat-belt required by clause (1)(b).

4 Oct 96 cO-1.1 Reg 1 s167.

PART XII
**Scaffolds, Aerial Devices, Elevating Work Platforms
and Temporary Supporting Structures**

Interpretation**168** In this Part:

- (a) **“aerial device”** means a vehicle-mounted telescoping or articulating unit that is used to position a worker at an elevated worksite, and includes a work basket or bucket, an aerial ladder, an extendable and articulating boom platform, a vertical tower and any combination of those devices;
- (b) **“base plate”** means a device that is attached to the base of a scaffold upright and that is used to distribute the vertical load over a larger area of the sill;
- (c) **“bearer”** means a horizontal scaffold member on which the platform rests and that may be supported by ledgers, and includes transoms and joists;
- (d) **“brace”** means a scaffold member fastened diagonally to the uprights across the vertical faces of the scaffold to provide stability against lateral movement of the scaffold;
- (e) **“bracket scaffold”** means a platform that is supported by two or more triangular brackets projecting out from a structure to which the brackets are securely fastened;
- (f) **“double-pole scaffold”** means a platform that is supported by bearers attached to a double row of braced uprights;
- (g) **“elevating work platform”** means a work platform that can be self-elevated to overhead worksites, and includes an elevating rolling work platform, a self-propelled elevating work platform and a boom-type elevating work platform;
- (h) **“flyform deck panel”** means a temporary supporting structure that:
 - (i) is used as a modular falsework;
 - (ii) is intended to be moved; and
 - (iii) is capable of being moved from floor to floor and re-used during a construction project;
- (i) **“half-horse scaffold”** means a platform that is supported by two or more braced, splayed supports resting in or on the structure;
- (j) **“heavy-duty scaffold”** means a scaffold that is intended to support workers, equipment and stored or stacked materials and that is designed to support the minimum load identified in clause 172(1)(b);
- (k) **“ladderjack scaffold”** means a platform that is supported by brackets attached to ladders;

- (l) **"ledger"** means a horizontal scaffold member extending from upright to upright that may support the bearers, and includes runners, stringers and ribbons;
- (m) **"light-duty scaffold"** means a scaffold that is intended to support workers and materials for current use only, with no storage of other materials except the worker's tools, and that is designed to support the load identified in clause 172(1)(a);
- (n) **"maximum load"** means the maximum actual load that a scaffold is designed to support or resist in use, and includes the working load, the actual weight of all the components of the scaffold, wind, environmental conditions and all other loads that may reasonably be anticipated;
- (o) **"modular scaffold"** means a platform that is supported by uprights with fixed attachment points for standard-sized ledgers, bracing and accessories;
- (p) **"needle-beam scaffold"** means a platform that is supported by parallel horizontal beams suspended by ropes attached to overhead anchors;
- (q) **"outrigger scaffold"** means a platform that is supported by rigid members that are cantilevered out from the structure or vertical supports;
- (r) **"personnel lifting unit"** means a work platform suspended by rigging from a crane or hoist that is used to position a worker at an elevated worksite, and includes a manbasket and work basket;
- (s) **"rolling scaffold"** means a freestanding scaffold that is equipped with castors or wheels at the base of the scaffold;
- (t) **"scaffold"** means a temporary elevated platform and the platform's supporting structure that are designed to support workers and hand tools, or workers, equipment and materials;
- (u) **"sill"** means a wood, concrete or metal footing used to distribute the load from a standard, an upright or a base plate of a scaffold to the ground;
- (v) **"single-pole scaffold"** means a platform that is supported by bearers attached at the outer end to a single row of braced uprights and at the inner end to the structure;
- (w) **"suspended outrigger scaffold"** means a scaffold with a working platform that is suspended by wooden vertical members from rigid horizontal members that are cantilevered out from the structure;
- (x) **"suspended powered scaffold"** means a platform that is suspended from overhead supports by ropes or cables and equipped with winches or pulley blocks so that the scaffold can be moved, and includes a boatswain's chair, work basket, work cage, swingstage or other similar scaffold;
- (y) **"suspended scaffold"** means a platform that is supported by four wire ropes suspended from members that are cantilevered out from the structure;

(z) **“temporary supporting structure”** means a falsework, form, flyform deck panel, shoring, brace or cable that is used to support a structure temporarily or to stabilize materials or earthworks until the materials or earthworks are self-supporting or the instability is otherwise overcome, and includes metal scaffold components;

(aa) **“tube and clamp scaffold”** means a platform that is supported by steel or aluminum tubes with wedge or bolt clamp connectors and accessories;

(bb) **“tubular frame scaffold”** means a platform that is supported by welded tubular frames, cross-braces and accessories;

(cc) **“upright”** means a vertical scaffold member that transmits the load to the ground, and includes posts, verticals and standards;

(dd) **“working load”** means the total of the loads from workers, materials, equipment and work processes.

4 Oct 96 cO-1.1 Reg 1 s168.

Scaffold required

169 Where work cannot be safely done from the ground or from a permanent structure, an employer or contractor shall provide a scaffold or other safe working platform or a ladder that meets the requirements of Part XVI for the use of workers.

4 Oct 96 cO-1.1 Reg 1 s169.

Prohibition

170 No employer or contractor shall require or permit a worker to use a needle-beam scaffold or a suspended outrigger scaffold as a work platform.

4 Oct 96 cO-1.1 Reg 1 s170.

Limited use of certain scaffolds

171(1) An employer or contractor shall ensure that the following types of scaffolds are used only as light-duty scaffolds:

- (a) half-horse scaffolds;
- (b) ladderjack scaffolds;
- (c) single-pole scaffolds.

(2) An employer or contractor shall ensure that the following types of scaffolds are used only as light-duty scaffolds unless the scaffold is designed by a professional engineer and constructed, erected, used, maintained and dismantled in accordance with that design:

- (a) bracket scaffolds;
- (b) outrigger scaffolds;
- (c) suspended scaffolds;
- (d) suspended powered scaffolds.

4 Oct 96 cO-1.1 Reg 1 s171.

General requirements

172(1) An employer or contractor shall ensure that:

- (a) every light-duty scaffold is designed and constructed to support:
 - (i) a minimum working load of 3.63 kN per lineal metre of platform width applied vertically and uniformly across an independent platform section along an imaginary line drawn perpendicular to the platform edge anywhere along the length of the section; and
 - (ii) a minimum uniformly distributed working load of 1.20 kN/m², acting simultaneously with the concentrated load specified in sub-clause (i); and
- (b) every heavy-duty scaffold is designed and constructed to support:
 - (i) a minimum working load of 3.88 kN per lineal metre of platform width applied vertically and uniformly across an independent platform section along an imaginary line drawn perpendicular to the platform edge anywhere along the length of the section; and
 - (ii) a minimum uniformly distributed working load of 3.60 kN/m², acting simultaneously with the concentrated load specified in sub-clause (i).
- (2) An employer or contractor shall ensure that every scaffold is:
 - (a) designed, constructed, erected, used and maintained so as to perform safely any task that the scaffold is required to perform;
 - (b) designed, constructed and erected to support or resist:
 - (i) in the case of a wooden scaffold, at least four times the load that may be imposed on the scaffold;
 - (ii) in the case of a metal scaffold, at least 2.2 times the load that may be imposed on the scaffold;
 - (iii) in the case of any components suspending any part of a scaffold supporting workers, at least 10 times the load that may be imposed on those components; and
 - (iv) four times the maximum load or force to which the scaffold is likely to be subjected without overturning;
 - (c) erected, maintained and dismantled by a competent worker.
- (3) An employer or contractor shall ensure that a freestanding scaffold is restrained from overturning by guying or other suitable means.

- (4) An employer or contractor shall ensure that a scaffold that is built from the ground or other surface:
- (a) is supported by a foundation that is of sufficient area, stability and strength to ensure the stability of the scaffold;
 - (b) is set level on a stable sill that is at least 38 x 240 millimetres and continuous under at least two consecutive supports;
 - (c) where an upright could penetrate the sill, a base plate is installed in the upright;
 - (d) is supported against lateral movement by adequate, secure bracing;
 - (e) is anchored:
 - (i) vertically at not less than four-metre intervals and horizontally at not less than six-metre intervals;
 - (ii) where designed by a professional engineer, at intervals recommended by a professional engineer; or
 - (iii) where commercially manufactured, at intervals recommended by the manufacturer;
 - (f) is provided with internal stairways or ladders if the scaffold is nine metres or more in height; and
 - (g) is checked to ensure that the scaffold is plumb and level after each tier is added.
- (5) Where a scaffold is partially or fully enclosed, an employer or contractor shall ensure that all scaffold components and tie-ins are adequate to support the added load that may be placed on the scaffold as a result of wind or other adverse weather conditions.
- (6) An employer or contractor shall ensure that all workers who are required to work on a scaffold are provided with the following information:
- (a) the maximum working load of the scaffold;
 - (b) any other information, restriction or condition that is necessary to ensure the safe use of the scaffold.
- (7) Where a scaffold is more than six metres high, an employer or contractor shall install a gin wheel and hoist arm or other suitable lifting device to hoist materials from the ground.

Ropes in scaffolds

173(1) An employer or contractor shall ensure that a rope or wire rope that forms an integral part of a scaffold is protected against abrasion or other physical damage.

(2) Where damage to a rope that forms an integral part of a scaffold from heat or chemicals is possible, an employer or contractor shall ensure that rope of heat or chemical resistant material is used.

4 Oct 96 cO-1.1 Reg 1 s173.

Scaffold planks and platforms

174(1) An employer or contractor shall ensure that scaffold planks:

(a) are inspected by a competent worker to ensure that the scaffold planks are free of defects before the planks are incorporated in a scaffold;

(b) subject to subsections (2) and (4), are of 38 x 240 millimetre, number 1 structural grade spruce lumber or material of equivalent or greater strength;

(c) are the same thickness as adjoining planks;

(d) are laid tightly side by side with adjoining planks to cover the full width of the platform;

(e) are secured to prevent accidental or inadvertent movement in any direction;

(f) where wooden, do not span more than three metres between vertical supports on a light-duty scaffold or 2.1 metres between vertical supports on a heavy-duty scaffold;

(g) where metal or manufactured laminate, do not have a span between vertical supports greater than the span recommended by the manufacturer; and

(h) do not extend less than 150 millimetres or more than 300 millimetres beyond the bearers.

(2) An employer, contractor or supplier may use a manufactured scaffold plank if the plank is used according to the manufacturer's recommendations and the manufactured scaffold plank is clearly marked with its maximum working load or the load specifications are readily available at the worksite.

(3) Subject to subsection (4), an employer or contractor shall ensure that a scaffold platform:

(a) is at least one-half metre wide in the case of a light-duty scaffold;

(b) is at least one metre wide in the case of a heavy-duty scaffold; and

(c) is level or, where used as a ramp, has a slope at an angle not steeper than five horizontal to one vertical.

(4) A single manufactured extending painter's plank, or a plank that is 51 x 305 millimetre, number 1 structural grade spruce lumber or material of equivalent or greater strength, may be used in a ladderjack scaffold.

4 Oct 96 cO-1.1 Reg 1 s174.

Wooden scaffolds

175(1) An employer or contractor shall ensure that the dimensions of members of a light-duty wooden scaffold that is less than six metres in height are not less than the dimensions specified in Table 15 of the Appendix.

(2) An employer or contractor shall ensure that a wooden scaffold is constructed of unpainted number 1 structural grade spruce lumber or material of equivalent or greater strength.

4 Oct 96 cO-1.1 Reg 1 s175.

Metal scaffolds

176(1) Where a metal scaffold is used, an employer or contractor shall ensure that the metal scaffold is:

(a) erected, used, maintained and dismantled in accordance with the manufacturer's or professional engineer's specifications and recommendations; and

(b) inspected, by a competent person, prior to use and daily when in use for any damage, deterioration or weakening of the scaffold or the scaffold's components.

(2) If a metal scaffold or a component of a metal scaffold is damaged, deteriorated or weakened so that the strength or stability of the scaffold is affected, an employer or contractor shall ensure that the scaffold is not used until the scaffold or component is repaired or replaced by a competent person in accordance with the manufacturer's or a professional engineer's specifications and recommendations.

(3) Where a metal scaffold is a tube and clamp scaffold, an employer or contractor shall ensure that:

(a) joints in adjacent uprights are staggered and do not occur in the same tier;

(b) joints in uprights are located not more than one-third of a tier away from the connection of a ledger;

(c) ledgers are erected horizontally along the length of the scaffold and coupled to each upright at regular intervals of one tier;

(d) all ledgers are joined to form a continuous length;

(e) individual tube lengths of a ledger are the lesser of:

(i) two or more bays in length; or

(ii) the horizontal length of the scaffold;

(f) tubes of different metals or gauges are not joined together; and

(g) where base plates are required, they are securely installed in the uprights and securely attached to the sills.

(4) Where a metal scaffold is a standard tubular frame scaffold, an employer or contractor shall ensure that:

- (a) where base plates, shore heads, extension devices or screwjacks are necessary, they are securely installed and securely attached to the sills and the legs of the frame; and
- (b) there are no gaps between the lower end of one frame and the upper end of the frame below on stacked frames.

(5) Where a metal scaffold is a modular scaffold, an employer or contractor shall ensure that:

- (a) where extension devices or screwjack bases and base collars are necessary, they are securely installed and securely attached to the sills;
- (b) joints in adjacent uprights are staggered and do not occur in the same tier;
- (c) there are no gaps between the lower end of one upright and the upper end of the upright below it;
- (d) ledgers, bearers and braces are properly secured; and
- (e) components from different modular scaffold systems are not used in the same scaffold.

4 Oct 96 cO-1.1 Reg 1 s176.

Heavy-duty scaffolds, scaffolds used at certain heights

177(1) This section applies to a scaffold that:

- (a) is to be used as a heavy-duty scaffold;
- (b) in the case of a wooden scaffold, has a platform at a height that is six metres or more above either ground level or a permanent working surface; or
- (c) in the case of a metal scaffold, has a platform at a height that is greater than 15 metres above either ground level or a permanent working surface.

(2) An employer, contractor or owner shall ensure that a scaffold mentioned in subsection (1) is:

- (a) designed by a professional engineer and erected, used, maintained and dismantled in accordance with that design; or
- (b) commercially manufactured to meet the requirements of an approved standard and erected, used, maintained and dismantled in accordance with the manufacturer's specifications and recommendations.

(3) While a scaffold mentioned in subsection (1) is being constructed, erected, used, maintained or dismantled, an employer, contractor or owner shall keep at the worksite all drawings and supplementary information regarding the scaffold, including:

- (a) the dimensions, specifications, type and grade of all components of the scaffold; and
- (b) the maximum load and the maximum working load that the scaffold is designed or manufactured to support.

(4) An employer, contractor or owner shall make readily available to the workers a copy of the drawings and supplementary information mentioned in subsection (3).

4 Oct 96 cO-1.1 Reg 1 s177.

Half-horse scaffolds

178(1) An employer or contractor shall ensure that the legs of a half-horse scaffold are not spliced, are less than three metres high and have an angle of repose and an angle of splay that are 15° from the vertical.

(2) An employer or contractor shall ensure that a ladder is used to provide access to and exit from a half-horse scaffold.

4 Oct 96 cO-1.1 Reg 1 s178.

Bracket scaffolds

179 An employer or contractor shall ensure that the brackets of a bracket scaffold are securely attached to prevent the brackets from dislodging and are not more than three metres apart.

4 Oct 96 cO-1.1 Reg 1 s179.

Ladderjack scaffolds

180 An employer or contractor shall ensure that:

- (a) brackets and ladders used for a ladderjack scaffold are:
 - (i) designed and constructed to support the anticipated load safely; and
 - (ii) used according to the manufacturer's specifications and recommendations; and
- (b) ladders used for a ladderjack scaffold are not more than three metres apart.

4 Oct 96 cO-1.1 Reg 1 s180.

Single-pole scaffolds

181 An employer or contractor shall ensure that:

- (a) a single-pole scaffold is adequately supported in two directions by a system of diagonal braces that are:
 - (i) not more than six metres long; and
 - (ii) connected to the uprights as close to the ledgers as possible; and
- (b) every ledger on a single-pole scaffold is supported by a bearer that is of substantial construction and that is securely fastened to the structure.

4 Oct 96 cO-1.1 Reg 1 s181.

Outrigger scaffolds

182 Where an outrigger scaffold is used, an employer or contractor shall ensure that the scaffold is:

- (a) designed by a professional engineer and erected, used, maintained and dismantled in accordance with that design; or
- (b) commercially manufactured to meet the requirements of an approved standard and erected, used, maintained and dismantled in accordance with the manufacturer's specifications and recommendations.

4 Oct 96 cO-1.1 Reg 1 s182.

Suspended scaffolds

183(1) Where a suspended scaffold is used, an employer, contractor or supplier shall ensure that the scaffold is:

- (a) designed by a professional engineer and erected, used, maintained and dismantled in accordance with that design; or
 - (b) commercially manufactured to meet the requirements of an approved standard and erected, used, maintained and dismantled in accordance with the manufacturer's specifications and recommendations.
- (2) An employer or contractor shall ensure that the working parts of the hoisting mechanism of a suspended scaffold are left exposed so that defective parts or irregular working of the mechanism can be easily detected.
- (3) An employer or contractor shall ensure that no worker is required or permitted to operate the hoisting mechanism of a suspended scaffold unless the worker is competent and has been designated by the employer or contractor to perform that work.
- (4) An employer or contractor shall ensure that all parts of a suspended scaffold are inspected prior to use and daily when in use.

4 Oct 96 cO-1.1 Reg 1 s183.

Suspended powered scaffolds

184(1) Where a suspended powered scaffold is used, an employer, contractor, supplier or owner shall ensure that the scaffold and its suspension system is:

- (a) designed by a professional engineer and erected, used, maintained and dismantled in accordance with that design; or
 - (b) commercially manufactured to meet the requirements of an approved standard and erected, used, maintained and dismantled in accordance with the manufacturer's specifications and recommendations.
- (2) An employer, contractor or owner shall ensure that:
- (a) where a parapet is part of the support structure of a suspended powered scaffold, the parapet can withstand the force of the load; and
 - (b) the anchor points for the suspension system are secure and can safely withstand the load.
- (3) An employer, contractor, owner or supplier shall ensure that a power unit of a suspended powered scaffold is equipped with positive pressure controls and positive drives for raising and lowering the scaffold.
- (4) Where workers are required to use a manually-operated suspended powered scaffold, an employer, contractor, supplier or owner shall ensure that:
- (a) the scaffold is equipped with spring-actuated locking pawls;
 - (b) the hoisting mechanism is locked in a positive drive position by means of a spring-steel locking pin; and
 - (c) the locking pin is permanently attached to the hoisting mechanism by a light chain.
- (5) Where a suspended powered scaffold is used, an employer, contractor or owner shall ensure that:
- (a) the suspension rope consists of wire rope that is at least eight millimetres in diameter or meets the specifications recommended by the manufacturer of the scaffold or the professional engineer who designed the scaffold;
 - (b) either:
 - (i) the suspension rope is long enough to reach the next working surface below the scaffold;
 - (ii) the end of the suspension rope is doubled back and held securely by a cable clamp to prevent the hoisting machine from running off the end of the rope; or
 - (iii) directional limiting devices that prevent travel of the working platform beyond the safe limit of travel are installed; and
 - (c) all rigging hardware has a safety factor of at least 10.

- (6) An employer, contractor or owner shall ensure that a suspended powered scaffold is equipped with a secondary safety device that will activate if the suspension rope connection or primary hoisting system fails.
- (7) An employer, contractor or owner shall ensure that a lifeline used with a suspended powered scaffold is:
- (a) suspended independently from the scaffold; and
 - (b) securely attached to a fixed anchor point so that the failure of the scaffold will not cause the lifeline to fail.
- (8) An employer, contractor or owner shall ensure that the working platform of a suspended powered scaffold:
- (a) is at least 500 millimetres wide and fastened to the stirrups; and
 - (b) is designed to prevent the scaffold from swinging or swaying away from the structure from which the scaffold is suspended.
- (9) An employer, contractor or owner shall ensure that:
- (a) there is no covering or hoarding around or over a suspended powered scaffold; and
 - (b) two or more suspended powered scaffolds are not linked together by bridging the distance between the scaffolds with planks or any similar form of connection.
- (10) Where a suspended powered scaffold is permanently installed on a structure, an employer, contractor or owner shall ensure that a professional engineer has certified that the scaffold, its suspension system and all components and anchor points are safe before the scaffold is used.

4 Oct 96 cO-1.1 Reg 1 s184.

Tie-in guides

185(1) On and after July 1, 1997, an owner shall ensure that a new structure that will be serviced by a suspended powered scaffold is constructed with:

- (a) fixed anchor points that will safely support the scaffold and lifelines; and
 - (b) tie-in guides to provide a positive means of engagement between the suspended part of the equipment and the structure during the full vertical or inclined travel of the scaffold on the face of the structure.
- (2) The tie-in guides required by clause (1)(b) must meet the requirements of an approved standard.

4 Oct 96 cO-1.1 Reg 1 s185.

Use of suspended powered scaffolds

186(1) An employer or contractor shall:

- (a) develop work practices and procedures for the safe use of any suspended powered scaffold;
 - (b) train the workers in the procedures required pursuant to clause (a); and
 - (c) ensure that every worker complies with the procedures required pursuant to clause (a).
- (2) An employer or contractor shall ensure that a suspended powered scaffold is operated by a competent worker.
- (3) An employer or contractor shall ensure that all parts of a suspended powered scaffold are inspected prior to use and daily when in use.
- (4) An employer or contractor shall ensure that a worker who works on a suspended powered scaffold is provided with and uses a full-body harness, connecting linkage, personal fall arrest system and lifeline that meet the requirements of Part VII.

4 Oct 96 cO-1.1 Reg 1 s186; 10 Aug 2007 SR 67/
2007 s18.

Workers' responsibilities

187(1) Before starting to work on a suspended powered scaffold, a worker shall inspect the scaffold to ensure that:

- (a) the thrustouts or parapet hooks are secured; and
 - (b) the suspension ropes and lifelines are free from abrasion or other damage.
- (2) While working on a suspended powered scaffold, a worker shall:
- (a) remain on the platform between the suspension ropes at all times;
 - (b) secure from fouling all ropes from the scaffold that extend to the ground or a landing;
 - (c) use a full-body harness, connecting linkage, personal fall arrest system and lifeline that meet the requirements of Part VII; and
 - (d) ensure that, when the scaffold is being moved up or down on a suspension rope, the scaffold is kept level.
- (3) A worker shall not:
- (a) bridge the distance between a suspended powered scaffold and any other scaffold with planks or by any other means; or
 - (b) use the lifeline or the suspension ropes as a means of access to or exit from the scaffold except in cases of emergency.
- (4) A worker shall comply with the work practices and procedures developed pursuant to clause 186(1)(a).

4 Oct 96 cO-1.1 Reg 1 s187; 10 Aug 2007 SR 67/
2007 s19.

Rolling scaffolds

188(1) An employer or contractor shall ensure that the height of a rolling scaffold is not more than three times:

- (a) the smallest dimension of the scaffold's base; or
 - (b) where outriggers are provided, the smallest dimension of the scaffold's base, including the extended outriggers.
- (2) Where outriggers are provided on a rolling scaffold, an employer or contractor shall ensure that the outriggers are firmly attached to the scaffold uprights to ensure the stability of the scaffold.
- (3) An employer or contractor shall ensure that:
- (a) each wheel on a rolling scaffold is equipped with a device to securely attach the wheel to the scaffold;
 - (b) where vertical adjusting devices are required, they are securely attached to the scaffold; and
 - (c) each rolling scaffold is secured against inadvertent movement while a worker is on the scaffold.
- (4) An employer or contractor shall ensure that a scaffold erected on a movable platform is securely fastened to that platform.
- (5) An employer or contractor shall not require or permit a worker to remain on a rolling scaffold while the scaffold is being moved unless:
- (a) the height of the work platform does not exceed twice the shortest base dimension of the scaffold;
 - (b) the route to be travelled by the rolling scaffold has been thoroughly examined and found to be free of any condition that could cause the rolling scaffold to tilt or otherwise go out of control; and
 - (c) a work platform fills the entire area enclosed by the scaffold structure.

4 Oct 96 cO-1.1 Reg 1 s188.

Shinglers' roofing scaffold

189(1) Where a shingler's roofing scaffold is used, an employer or contractor shall ensure that:

- (a) the scaffold is designed, constructed, installed and maintained to support the loads that may be applied to the scaffold;
 - (b) the scaffold is provided with effective non-slipping devices; and
 - (c) the scaffold platform is at least 38 by 140 millimetres.
- (2) The employer or contractor shall develop and implement work practices and procedures for the safe use of any shingler's roof scaffold.

4 Oct 96 cO-1.1 Reg 1 s189.

Crawl boards, roof ladders

190 An employer, contractor or owner shall ensure that a crawl board or roof ladder used for roof work is securely fastened to the roof.

4 Oct 96 cO-1.1 Reg 1 s190.

Prohibition

191 Except as provided in sections 192 and 194, an employer or contractor shall ensure that no worker is raised or lowered by, or works on, a platform or load suspended from powered mobile equipment.

4 Oct 96 cO-1.1 Reg 1 s191.

Aerial devices and elevating work platforms

192(1) An employer or contractor shall ensure that:

- (a) an aerial device, elevating work platform or personnel lifting unit is designed, constructed, erected, operated and maintained in accordance with an approved standard; or
- (b) a professional engineer has certified that:
 - (i) an aerial device, elevating work platform or personnel lifting unit and its elevating system and mountings are safe for the purpose of raising workers and loads; and
 - (ii) the components of an aerial device, elevating work platform or personnel lifting unit and its elevating system and mountings are designed in accordance with an approved standard.

(2) An employer or contractor shall not require or permit a worker to be raised or lowered by any aerial device or elevating work platform or to work from a device or platform held in an elevated position unless:

- (a) there is an adequate and suitable means of communication between the worker operating the controls and the worker raised on the platform, if they are not the same person;
- (b) the elevating mechanism is designed so that, if any failure of the mechanism occurs, the platform will descend in a controlled manner so that no worker on the platform will be endangered;
- (c) the controls are designed so that the platform will be moved only when direct pressure is applied to the controls;
- (d) the drive mechanism of any operation for moving the platform is positive and does not rely on gravity;
- (e) road traffic conditions, environmental conditions, overhead wires, cables and other obstructions do not create a danger to the worker;
- (f) the brakes of the aerial device or elevating work platform are engaged, except when operated in accordance with manufacturer's recommendations;

- (g) if the aerial device or elevating work platform is equipped with outriggers, the outriggers are set;
 - (h) pursuant to clause (i), the worker is provided with and is required to use a personal fall arrest system that meets the requirements of Part VII; and
 - (i) the aerial device or elevating work platform is equipped with a lanyard attachment point that is:
 - (i) designed and constructed to an approved standard; or
 - (ii) certified as safe by a professional engineer and installed and used in accordance with that design.
- (3) Notwithstanding any other provision in this section but subject to section 465, an employer or contractor shall not require or permit a worker working on an exposed energized high voltage electrical conductor to work from an aerial device or elevating work platform unless the controls are operated by the worker on the device or platform.
- (4) Where a worker leaves an aerial device or elevating work platform parked or unattended, an employer or contractor shall ensure that the device or platform:
- (a) is locked or rendered inoperative; or
 - (b) is fully lowered and retracted with all hydraulic systems in the neutral position or incapable of operating by moving the controls.
- (5) An employer or contractor shall ensure that:
- (a) a worker who operates an aerial device or elevating work platform is trained to operate the device or platform safely; and
 - (b) the training includes the manufacturer's instructions and recommendations, the load limitations, the proper use of all controls and any limitations on the surfaces on which the device or platform is designed to be used.
- (5.1) An employer or contractor shall ensure that, while a worker is on a work platform mounted on a forklift and the forklift is in the raised position, the operator:
- (a) remains at the controls; and
 - (b) does not drive the forklift.
- (6) An employer or contractor shall ensure that the manufacturer's operating manual for the aerial device or elevating work platform is kept with the device or platform at all times.

Maintenance and inspection

193(1) An employer, contractor, owner or supplier shall ensure that only competent persons maintain and inspect an aerial device, elevating work platform, suspended powered platform, personnel lifting unit or scaffold to which section 177 applies.

(2) An employer, contractor, owner or supplier shall ensure that a maintenance and inspection record tag:

(a) is provided for an aerial device, elevating work platform, suspended powered scaffold, personnel lifting unit or scaffold to which section 177 applies, and is attached to the device, platform, unit or scaffold near the operator's station; and

(b) has the following recorded on it:

(i) the date of the last maintenance;

(ii) the name and signature of the person who performed the maintenance; and

(iii) an indication that the maintenance has been carried out in accordance with the manufacturer's recommendations.

4 Oct 96 cO-1.1 Reg 1 s193.

Forklifts

194(1) An employer or contractor shall ensure that no worker is raised or lowered by, or required or permitted to work on, a forklift or any device mounted on a forklift except as provided by this section.

(2) An employer or contractor shall ensure that a work platform mounted on a forklift on which a worker may be raised or lowered or required or permitted to work is:

(a) designed and constructed to an approved standard or designed and constructed and certified safe for use by a professional engineer to support safely the maximum load that the platform is expected to support;

(b) securely attached to the forks of the forklift to prevent accidental lateral or vertical movement of the platform;

(c) equipped with guardrails and toeboards that meet the requirements of sections 122 and 123; and

(d) equipped with a screen or similar barrier along the edge of the platform adjacent to the mast of the forklift to prevent a worker from contacting the mast drive mechanism.

(3) The employer or contractor shall ensure that a worker working from a work platform mentioned in subsection (2) uses a personal fall arrest system that meets the requirements of Part VII.

(4) An employer or contractor shall comply with the requirements mentioned in section 167.

4 Oct 96 cO-1.1 Reg 1 s194; 10 Aug 2007 SR 67/
2007 s21.

Temporary supporting structures

195(1) An employer or contractor shall ensure that a temporary supporting structure is designed and constructed to withstand safely all loads that the structure is intended, or may reasonably be anticipated, to support.

(2) Without limiting the generality of subsection (1), an employer or contractor shall meet the requirements of subsection (3) where a temporary supporting structure consists of:

- (a) shoring that is more than 3.6 metres high; or
- (b) members that are connected to one another so that a load applied to any member of the structure may alter the stresses induced in the other members.

(3) An employer or contractor shall ensure that:

- (a) a temporary supporting structure mentioned in subsection (2):
 - (i) is designed by a professional engineer;
 - (ii) is inspected by a professional engineer after assembly and before use; and
 - (iii) is certified by a professional engineer to be safe; and
- (b) all the drawings and other instructions necessary to construct and use the temporary supporting structure safely are kept at the worksite.

(4) An employer or contractor shall ensure that a scaffold constructed as an integral part of a temporary supporting structure is designed and certified to be safe by a professional engineer.

4 Oct 96 cO-1.1 Reg 1 s195.

Flyform deck panels

196(1) In addition to the requirements of section 195, an employer or contractor shall ensure that:

- (a) all drawings and written procedures that are necessary to safely assemble, fly, use, dismantle or re-use a flyform deck panel are kept at the worksite for reference by workers;
- (b) the workers are instructed in and comply with the procedures mentioned in clause (a);
- (c) a flyform deck panel is securely attached to the permanent structure or to an adjacent panel; and
- (d) the attachments mentioned in clause (c) are completed and made secure before the flyform deck panel is detached from the hoist used to position the panel.

- (2) The drawings and procedures mentioned in clause (1)(a) must include:
- (a) the plan view, the longitudinal section and the cross-section of the panel;
 - (b) the calculated position of the centre of gravity of the panel;
 - (c) the step-by-step procedures for all phases of assembly, flying, use, dismantling, repair and re-use of the panel;
 - (d) procedures for ensuring stability, if the panel is inherently unstable;
 - (e) procedures for application of the panel on a non-typical floor; and
 - (f) any other instructions that are necessary to ensure the safety of workers.

4 Oct 96 cO-1.1 Reg 1 s196.

Erection of masonry wall

197 An employer or contractor shall ensure that a temporary supporting structure used to stabilize a masonry wall during the erection of the wall is not removed until the wall has been permanently stabilized.

4 Oct 96 cO-1.1 Reg 1 s197.

Erection of skeleton structure

198(1) Where structural members of a skeleton structure or concrete sections of a structure are to be erected, an employer or contractor shall ensure that the design includes safe procedures for erecting the members or sections.

- (2) An employer or contractor shall ensure that:
- (a) the design and safe procedures for erecting the members or sections required by subsection (1) are certified as safe by a professional engineer; and
 - (b) all the necessary drawings and instructions to erect the structure safely are kept at the worksite.
- (3) An employer or contractor shall ensure that the workers are instructed in and follow the safe procedures required by subsection (1).
- (4) Where the procedures mentioned in subsection (1) have to be modified, an employer or contractor shall ensure that:
- (a) the modified procedures are certified by a professional engineer; and
 - (b) the drawings showing the modified procedures are available at the worksite.
- (5) An employer or contractor shall ensure that a competent supervisor is present on the worksite while the erection of a skeleton structure is in progress until the structure has been permanently stabilized.

4 Oct 96 cO-1.1 Reg 1 s198.

PART XIII
Hoists, Cranes and Lifting Devices

Interpretation

199 In this Part:

- (a) **“anti two block warning device”** means a device that warns the worker that continued upward movement of the load line may cause the load block to strike the upper sheaves;
- (b) **“boom”** means a member that is attached to a crane superstructure and used to support the upper end of the hoisting tackle;
- (c) **“crane”** means equipment that is designed to lift, lower and move loads horizontally and that consists of a rotating superstructure, operating machinery and a boom;
- (d) **“designated operator”** means a worker designated pursuant to clause 204(2)(a) to operate a hoist, crane or lifting device;
- (e) **“jib”** means an extension to a boom that is attached to the boom tip to provide additional boom length;
- (f) **“lifting device”** means a device that is used to raise or lower material or an object, but does not include a crane or hoist;
- (g) **“load rating”** means the maximum loads that may be lifted or lowered safely at a series of stated configurations under a series of stated conditions;
- (h) **“material hoist”** means a hoist that is designed to raise and lower equipment or material and that has a load-carrying unit that moves within fixed guides, but does not include a hoist that is designed to raise or lower workers;
- (i) **“mobile crane”** means a crane mounted on a truck, wheel or crawler base that can move freely under the crane's own power without being restricted to a predetermined path;
- (j) **“rated load”** means the maximum load that may be lifted or lowered safely using a particular configuration under the conditions existing at the time of the lifting or lowering operation;
- (k) **“tower crane”** means a crane that is mounted on a tower and that can rotate about the axis of the tower;
- (l) **“tower hoist”** means a hoist with a tower that forms an integral part of the supporting structure and a load-carrying unit that travels between fixed guides.

Application of Part

200 This Part applies to hoists, cranes and lifting devices other than hoists, cranes and lifting devices that are governed by *The Passenger and Freight Elevator Act* or *The Mines Regulations*.

4 Oct 96 cO-1.1 Reg 1 s200.

General requirements

201(1) An employer or contractor shall ensure that every hoist, crane and lifting device, including all rigging, used at a place of employment is designed, constructed, installed, maintained and operated to perform safely any task for which the hoist, crane, lifting device or rigging is used.

(2) A supplier shall ensure that every hoist, crane and lifting device, including all rigging, supplied for use at a place of employment is designed, constructed, installed, maintained and operated to perform safely any task for which the hoist, crane, lifting device or rigging is intended to be used.

4 Oct 96 cO-1.1 Reg 1 s201.

Adoption of standards

202(1) An employer or contractor shall ensure that all hoists, cranes and lifting devices manufactured on and after the day on which these regulations come into force are constructed, inspected, tested, maintained and operated in accordance with an approved standard.

(2) A supplier shall ensure that all hoists, cranes and lifting devices manufactured on and after the day on which these regulations come into force are constructed, inspected, tested and maintained in accordance with an approved standard.

4 Oct 96 cO-1.1 Reg 1 s202.

Load ratings

203(1) An employer or contractor shall ensure that a hoist, crane or lifting device is provided with a durable and clearly legible indication of the load rating that is readily accessible to the operator at the control station.

(2) A supplier shall ensure that the indication of the load rating of a hoist, crane or lifting device contains:

- (a) all appropriate load ratings for the hoist, crane or lifting device;
- (b) any applicable warning that no allowance is made in the load ratings for such factors as the effects of swinging loads, tackle weight, wind, degree of machine level, ground conditions, inflation of tires and operating speeds; and
- (c) any applicable restrictions to operating in low temperatures.

4 Oct 96 cO-1.1 Reg 1 s203.

Designated operator**204(1)** In this section:

- (a) **“competent operator”** means a worker who has successfully completed a training program that includes all of the elements set out in Table 16 of the Appendix for the crane that the worker will be required or permitted to operate or is completing the practical training required by Part II of Table 16 under the direct supervision of a competent operator or a qualified operator;
- (b) **“qualified operator”** means:
 - (i) the holder of a journeyman's certificate in the crane and hoist operator trade issued pursuant to *The Apprenticeship and Trade Certification Act*;
 - (ii) the holder of a proficiency certificate in a subtrade of the crane and hoist operator trade issued pursuant to *The Apprenticeship and Trade Certification Act*;
 - (iii) an apprentice in the crane and hoist operator trade who is working under the direction of a person described in subclause (i) or (ii); or
 - (iv) any other worker who:
 - (A) has received training, and has experience, in the safe operation of a crane that, in the opinion of the director, is equivalent to or superior to the training and experience of a person mentioned in subclause (i), (ii) or (iii); or
 - (B) is a member of a category of workers whose training and experience in the safe operation of a crane, in the opinion of the director, is equivalent to or superior to the training and experience of a person mentioned in subclause (i), (ii) or (iii).
- (2) Subject to subsections (3), (4) and (5), an employer or contractor shall:
 - (a) designate a worker to operate a hoist, crane or lifting device;
 - (b) ensure that the designated operator is trained in the operation of that hoist, crane or lifting device; and
 - (c) ensure that no worker operates a hoist, crane or lifting device other than a designated operator.
- (3) Subject to subsection (4), on and after July 1, 1997, an employer or contractor shall ensure that the designated operator is a qualified operator where the crane to be operated is:
 - (a) a tower crane;
 - (b) an overhead travelling crane that has a load rating equal to or greater than 50 tonnes;
 - (c) a crane that is used to raise or lower a worker on a personnel-lifting unit suspended from a hoist line; or
 - (d) a mobile crane that has a load rating greater than five tonnes.

- (4) Subsection (3) does not apply to a crane that is:
- (a) mounted on a vehicle and used exclusively to load or unload that vehicle; or
 - (b) owned by an employer, operated by a worker in the service of that employer and used solely at that employer's place of employment to perform work exclusively for that employer.
- (5) On and after July 1, 1997, in any circumstances other than those described in subsection (3), an employer or contractor shall ensure that:
- (a) for any crane with a load rating greater than or equal to five tonnes, the designated operator is a competent operator; and
 - (b) for any mobile or overhead travelling crane with a load rating less than five tonnes, the designated operator is a competent worker.
- (6) No worker shall operate a hoist, crane or lifting device unless the worker is a designated operator and has been trained in the operation of that hoist, crane or lifting device.
- (7) No worker shall operate a crane unless the worker:
- (a) has written proof of training in the operation of any crane that the worker will be required or permitted to operate; and
 - (b) has that written proof of training readily accessible at all times while the worker is operating the crane.

4 Oct 96 cO-1.1 Reg 1 s204; 31 Jan 97 SR 6/97
s10.

Operating procedures

205(1) Subject to subsection (2), an employer or contractor shall ensure that:

- (a) a copy of the manufacturer's operating manual for a hoist or crane is readily accessible to the operator; and
 - (b) an operator of a hoist or crane is thoroughly trained in and implements the manufacturer's recommended operating procedures.
- (2) Where the manufacturer's manual for a hoist or crane cannot be obtained, an employer or contractor shall develop an operating manual for the hoist or crane and ensure that:
- (a) a copy of the operating manual is readily accessible to the operator; and
 - (b) an operator of the hoist or crane is thoroughly trained in and implements the operating procedures set out in the operating manual.

4 Oct 96 cO-1.1 Reg 1 s205.

Rated load

206(1) An employer or contractor shall not require or permit the operator of a hoist, crane or lifting device to raise any load that is greater than the rated load determined by the manufacturer of the equipment or a professional engineer for the conditions in which the equipment is to be operated.

(2) An employer or contractor shall not require or permit the operator of a hoist, crane or lifting device to use the hoist, crane or lifting device to raise or lower workers unless the load applied to the hoist, crane or lifting device is less than one-half of the rated load as determined pursuant to subsection (1).

(3) An operator of a hoist, crane or lifting device shall not raise a load unless:

- (a) the operator has determined the accurate weight of the load; and
- (b) the load is less than the rated load for the operating conditions.

4 Oct 96 cO-1.1 Reg 1 s206.

Raising and lowering workers

207(1) Where a crane or hoist will be used to raise or lower workers, the employer or contractor shall:

- (a) develop and implement work practices and procedures that will provide for the safe raising and lowering of the workers;
- (b) train the workers in those work practices and procedures;
- (c) ensure that the hoisting equipment and personnel lifting unit are inspected by a competent person before use and daily when in use; and
- (d) ensure that the competent person records the details of the inspection in the log book.

(2) An employer or contractor shall not require or permit the operator of a crane or hoist to use the crane or hoist to raise or lower workers unless:

- (a) the personnel lifting unit meets the requirements of subsection 192(1);
- (b) the suspension members of the personnel lifting unit are securely attached to the crane, hoist line or hook by a shackle, weldless link, ring or other secure rigging attachment;
- (c) there is a secondary safety device that attaches the suspension members of the personnel lifting unit to the crane or hoist rigging above the point of attachment mentioned in clause (b);
- (d) the load line hoist drum has a system or device on the power train, other than the load hoist brake, that regulates the lowering rate of speed of the hoist drum mechanism; and
- (e) workers in the personnel lifting unit use a full-body harness attached to the personnel lifting unit.

(3) An operator of a crane or hoist shall not use the crane or hoist to raise or lower workers unless:

- (a) the personnel lifting unit meets the requirements of section 192;
- (b) the suspension members of the personnel lifting unit are securely attached to the crane, hoist line or hook by a shackle, weldless link, ring or other secure rigging attachment;
- (c) there is a secondary safety device that attaches the suspension members of the personnel lifting unit to the crane or hoist rigging above the point of attachment mentioned in clause (b);
- (d) the load line hoist drum has a system or device on the power train, other than the load hoist brake, that regulates the lowering rate of speed of the hoist drum mechanism; and
- (e) workers in the personnel lifting unit use fall-arrest protection attached to the personnel lifting unit.

4 Oct 96 cO-1.1 Reg 1 s207; 10 Aug 2007 SR 67/
2007 s22.

Determining weight of load

208(1) An employer or contractor shall provide the operator of a hoist, crane or lifting device with all the information necessary to enable the operator to determine readily and accurately the weight of any load that the operator is required or permitted to raise.

(2) An employer or contractor shall provide a permanent load gauge for a mobile crane that may be used for load ratings of nine tonnes or greater at the minimum operating radius.

(3) A permanent load gauge required by subsection (2) must measure the weight of any load being hoisted and instantaneously indicate that weight to the operator.

(4) Subsection (2) does not apply to cranes that:

- (a) use a device suspended by a wire rope to demolish a structure;
- (b) use a magnet to raise or lower a load; or
- (c) use a clam-style load carrier to move material.

(5) An employer or contractor shall not require or permit a worker to use a crane mentioned in subsection (2) unless the crane is equipped with a permanent load gauge that will measure the weight of any load being hoisted and instantaneously indicate that weight to the operator.

(6) An employer or contractor shall ensure that:

- (a) a worker who is required or permitted to use a crane equipped with a permanent load gauge is trained in the safe use and limitations of the permanent load gauge; and
- (b) the permanent load gauge is regularly inspected, maintained and calibrated in accordance with the manufacturer's instructions.

4 Oct 96 cO-1.1 Reg 1 s208.

Overload switches

209(1) An employer, contractor or supplier shall ensure that a tower crane is equipped with:

- (a) both:
 - (i) an overload limit switch that causes the hoist drum to stop when the load being hoisted exceeds the maximum rated load for any radius or boom angle or when the overturning moment exceeds the rated load moment; and
 - (ii) a moment overload switch that automatically restricts the radius within which the load can travel; or
- (b) a permanent load gauge.

(2) An employer or contractor shall not require or permit a worker to use a tower crane unless:

- (a) the crane is equipped with the overload limit switch and moment overload switch required by clause (1)(a) or the permanent load gauge required by clause (1)(b);
- (b) the worker is trained in the safe use and limitations of the overload limit switch and the moment overload switch or the permanent load gauge; and
- (c) the overload limit switch and moment overload switch or the permanent load gauge are regularly inspected, maintained and calibrated in accordance with the manufacturer's instructions.

4 Oct 96 cO-1.1 Reg 1 s209.

Designated signaller

210(1) An employer or contractor shall designate a signaller pursuant to section 132 where the operator of a hoist or crane does not have a clear, unobstructed view of any of the following throughout the whole range of movement of the load or hook:

- (a) the pick-up point;
- (b) the setting point and the load;
- (c) the hook, if there is no load.

(2) Before a hoisting operation begins, an employer or contractor shall ensure that the operator of the hoist or crane reviews with the designated signaller the signals to be used.

(3) Where a hand signal is to be used in connection with a hoist or crane, an employer or contractor shall ensure that the signal used is the signal that is appropriate for the activity to be carried out and that is set out in an approved standard.

(4) An operator of a hoist or crane and a designated signaller shall use the signal set out in the standard mentioned in subsection (3) that is appropriate for the activity to be carried out.

4 Oct 96 cO-1.1 Reg 1 s210.

General requirements for cranes and hoists

211(1) An employer, contractor or supplier shall ensure that a crane is equipped with an effective warning device that can be readily activated by the operator and that is adequate to warn workers of the impending movement of the crane.

(2) An employer, contractor or supplier shall ensure that a crane that has a boom is equipped with:

- (a) positive boom stops to prevent inadvertent movement of the boom;
- (b) a boom stop limit device to prevent the boom from being drawn back beyond a predetermined safe boom angle identified by the manufacturer;
- (c) a jib stop device to prevent the jib from being drawn back beyond the safe boom angle identified by the manufacturer, where a jib is attached to the boom; and
- (d) a boom angle indicator that is clearly visible to the operator while seated at the control station.

(3) On and after January 1, 1998, an employer, contractor or supplier shall ensure that a crane is equipped with an anti two block warning device where the crane will be used to hoist workers on a personnel lifting unit or where the crane is a hydraulic crane with a rated load of nine tonnes or greater.

(4) An employer, contractor or supplier shall ensure that a hoist or crane that operates on rails, tracks or other guides is fitted with:

- (a) a positive stop or limiting device installed on the hoist or crane or on the rails, tracks or other guides to prevent the hoist or crane from over-running safe limits or contacting other equipment that is on the same rail, track or other guide;
- (b) sweepguards installed to prevent materials on the rail, track or other guide from causing dislodgment of the hoist or crane; and
- (c) stops to prevent the crane or hoist from dropping more than 2.5 centimetres if the axle breaks.

(5) Where a worker leaves a crane or hoist unattended or parked, an employer or contractor shall ensure that:

- (a) the crane or hoist is stored in a manner that does not create a risk to any worker;
- (b) the operating machinery is locked or rendered inoperative;
- (c) the rigging and boom angle are secured; and
- (d) a mobile crane is stored on level ground with the wheels locked or chocked.

Hoists, cranes with outriggers, etc.

212 Where a hoist or crane is designed to be operated with outriggers or other stabilizing devices, an employer or contractor shall ensure that:

- (a) the outriggers or other stabilizing devices:
 - (i) are used according to the manufacturer's instructions;
 - (ii) are set on a solid footing or pad; and
 - (iii) have their controls, if any, readily accessible to the operator and in a suitable position for safe operation;
- (b) the area around the outriggers or other stabilizing devices is kept free of obstruction;
- (c) there is a minimum clearance of at least 600 millimetres between any moving part of the crane and any obstacle near the base of the hoist or crane; and
- (d) where there is a danger of a worker being trapped or crushed by any moving part of the crane when the crane swings, the area around the base of the crane is barricaded to restrict the entry of workers.

4 Oct 96 cO-1.1 Reg 1 s212.

Operators' cabs on tower cranes

213 Where an operator's cab is to be attached to the boom or jib of a tower crane, an employer, contractor or supplier shall ensure that the cab is designed, positioned and attached in accordance with the specifications of the manufacturer of the crane or a professional engineer.

4 Oct 96 cO-1.1 Reg 1 s213.

Erecting and dismantling

214(1) Subject to subsection (4), an employer or contractor shall develop a written procedure for safely erecting and dismantling a hoist or crane.

(2) The written procedure required by subsection (1) must include the safe blocking of any mast, boom or jib and the number and qualifications of workers required to implement the procedure.

(3) An employer or contractor shall ensure that the erecting and dismantling of a hoist or crane is carried out in accordance with the written procedure required by subsection (1).

(4) An employer or contractor may use the manufacturer's instructions for erecting or dismantling a hoist or crane if the instructions contain the requirements set out in subsection (2).

4 Oct 96 cO-1.1 Reg 1 s214.

Log book

215(1) An employer or contractor shall:

- (a) provide a log book for each hoist and crane with a rated load greater than five tonnes and ensure that the log book is kept readily available;
 - (b) provide a copy of the log book to the operator on request;
 - (c) ensure that the hours of service of the hoist or crane and all details of any inspection, maintenance or calibration required by this Part are recorded in the log book;
 - (d) ensure that each entry required by clause (c) is signed by the person who performs the inspection, maintenance or calibration; and
 - (e) review and sign the log book on a regular basis.
- (2) Where the supplier of a hoist or crane provides a log book, an employer or contractor shall ensure that the information and signatures required by subsection (1) are recorded in the supplier's log book instead of the employer's or contractor's log book and that the supplier's log book is kept with the hoist or crane.

4 Oct 96 cO-1.1 Reg 1 s215.

Inspections

216(1) An employer, contractor or supplier shall ensure that a hoist, crane or lifting device is inspected by a competent person to determine whether the hoist, crane or lifting device is in safe working condition:

- (a) before the hoist, crane or lifting device is used at the start of each work shift; and
 - (b) at regular intervals as recommended by the manufacturer.
- (2) Where a defect or unsafe condition that may create a hazard to a worker is found in a hoist, crane, lifting device or rigging, an employer, contractor or supplier shall:
- (a) take steps immediately to protect the health and safety of any worker who may be at risk until the defect is repaired or the unsafe condition is corrected; and
 - (b) as soon as is reasonably practicable, repair any defect or correct any unsafe condition.
- (3) An employer, contractor or supplier shall ensure that a mobile crane is subjected to a thorough inspection, including non-destructive testing, under the supervision of a professional engineer every two years or 1,800 hours of operation, whichever comes first.

(4) An employer, contractor or supplier shall ensure that a tower crane is subjected to a thorough inspection, including non-destructive testing, under the supervision of a professional engineer:

- (a) before erection at each site; and
- (b) at subsequent intervals of 2,000 operating hours or one year, whichever occurs first.

(5) No worker shall operate a crane or cause a crane to be operated unless a copy of the results of the testing or inspection required by subsection (3) or (4) is readily available or is on site.

4 Oct 96 cO-1.1 Reg 1 s216.

Repairs

217(1) Where the inspection of a hoist, crane or lifting device reveals a condition that might render the equipment unsafe or incapable of raising the rated load mentioned in subsection 206(2), an employer, contractor or supplier shall not require or permit the use of the equipment until any necessary repairs are completed.

(2) An employer, contractor or supplier shall ensure that a structural repair or modification to a component of a hoist or crane is performed only under the direction and control of a professional engineer.

(3) Before a hoist or crane is used after a structural repair or modification, an employer, contractor or supplier shall ensure that:

- (a) the equipment is tested under the direction of a professional engineer; and
- (b) a professional engineer has determined the rated load of the repaired or modified hoist or crane and has certified that the hoist or crane is capable of safely raising the new rated load.

(4) Where the rated load of a hoist or crane after repair or modification differs from the rated load before repair or modification, an employer, contractor or supplier shall ensure that a new indication of load rating is provided pursuant to section 203.

4 Oct 96 cO-1.1 Reg 1 s217.

Friction type hoists

218 On a construction site, an employer or contractor shall ensure that no material is hoisted vertically by a rope driven by friction between the rope and a powered surge wheel or drum unless the hoist is equipped with:

- (a) a safety device that will prevent a free fall of the load; and
- (b) an emergency stop device.

4 Oct 96 cO-1.1 Reg 1 s218.

Material hoists

219(1) Where a material hoist is in use, an employer or contractor shall ensure that:

- (a) no worker is required or permitted to ride on the hoist; and
 - (b) no load projects beyond the edges of the load-carrying unit.
- (2) If the controls of a material hoist are not remote from the hoist, an employer or contractor shall ensure that an adequate overhead barrier is provided to protect the operator.
- (3) An employer or contractor shall ensure that:
 - (a) the braking systems on a material hoist are capable of stopping 150% of the rated load mentioned in subsection 206(1) at the maximum speed;
 - (b) the area around the base of a material hoist is fenced or otherwise barricaded to prevent the entry of workers, and that no worker is required or permitted to enter that area except when the load-carrying unit is at the lowest level; and
 - (c) a landing gate is installed:
 - (i) on any landing served by the material hoist; and
 - (ii) not less than 600 nor more than 900 millimetres from the edge of the landing.
- (4) An operator of a material hoist shall not:
 - (a) leave the controls while the load-carrying unit is in the raised position;
 - (b) operate the hoist while a landing gate is open; or
 - (c) move a load-carrying unit until the operator is informed by signal that the load-carrying unit can be moved safely.
- (5) An employer or contractor shall ensure that:
 - (a) the operator of a material hoist and a designated signaller at a landing where loading or unloading is carried on are able to maintain visual or audible communication with each other at all times during loading or unloading; and
 - (b) a material hoist that is, or is designed to be, over 20 metres high is equipped with a signal system that will:
 - (i) allow voice communication between a worker at any landing and the operator; and
 - (ii) inform the operator of the landing from which a signal originates.
- (6) An employer or contractor shall ensure that a power driven material hoist is equipped with a safety device that will stop and hold the load-carrying unit if the hoist rope or braking system fails.

Tower hoists

220(1) Where a tower hoist is used, an employer or contractor shall ensure that:

- (a) the pulley block is securely anchored and the ropes from the pulley to the hoisting engine are enclosed; and
 - (b) at each landing, the hoist is equipped with landing gates and devices that will prevent:
 - (i) movement of the load-carrying unit when a landing gate is open; and
 - (ii) opening of a landing gate when the load-carrying unit is not standing at that landing.
- (2) Where a tower hoist is not erected inside a structure, an employer or contractor shall ensure that the hoist:
- (a) is enclosed on all sides except the landing side by solid walls or equally effective fencing from ground level to a height of not less than two metres; and
 - (b) is adequately braced or guyed to prevent sway or movement.
- (3) Where a tower hoist is erected inside a structure, an employer or contractor shall ensure that:
- (a) the hoist is enclosed on all sides except the landing side at the ground level and at each floor level by solid walls or equally effective fencing from ground or floor level to a height of not less than two metres;
 - (b) each point of access to the hoist is conspicuously marked by a warning sign; and
 - (c) the hoist structure is adequately supported at vertical intervals not exceeding six metres.

4 Oct 96 cO-1.1 Reg 1 s220.

Roofers' hoists

221(1) Where a roofer's hoist is used, an employer or contractor shall ensure that:

- (a) all counterweights on the hoist:
 - (i) are designed as an integral part of the hoist;
 - (ii) remain securely attached to the hoist at all times that hoisting is in progress; and
 - (iii) are designed to exert an opposing moment that is equal to at least four times the moment exerted by the maximum rated load; and
 - (b) any part or section of the hoist that may become disconnected is equipped with suitable locking devices.
- (2) An employer or contractor shall not require or permit a worker to use roofing material as a counterweight on a roofer's hoist.
- (3) An employer or contractor shall ensure that a roofer's hoist is used only to perform vertical lifts.
- (4) An employer or contractor shall ensure that no worker is required or permitted to use a wooden gallows frame roofer's hoist.

4 Oct 96 cO-1.1 Reg 1 s221.

Vehicle hoists

222(1) In this section, “**lock**” means to fix the controls of a hoist in one position by any mechanical means.

(2) An employer or contractor shall ensure that a pneumatic or hydraulic vehicle hoist is equipped with clearly marked controls that raise or lower the hoist only when a worker is applying pressure to the controls.

(3) An employer or contractor shall ensure that no worker is required or permitted:

(a) during raising or lowering of the hoist, to lock the controls mentioned in subsection (2); or

(b) to work or be under a raised vehicle or trailer unless the vehicle or trailer is supported by:

(i) a vehicle hoist that is designed to safely support the weight of the vehicle or trailer; or

(ii) substantial stands or blocks and, where necessary, wheel chocks.

(4) For the purposes of subclause (3)(b)(ii), jacks alone are not sufficient.

(5) An employer or contractor shall ensure that all pneumatic or hydraulic vehicle hoists are assembled, installed, operated and maintained according to the manufacturer's instructions.

4 Oct 96 cO-1.1 Reg 1 s222.

Hand-operated hoists

223(1) An employer or contractor shall ensure that a hand-operated hoist purchased on or after January 1, 1997 is designed, constructed, installed, operated and maintained in accordance with an approved standard.

(2) An employer, contractor or supplier shall ensure that a hand-operated hoist is equipped with a spring actuated or weighted ratchet and pawl, load brake or other mechanism that will stop and hold the load at any height desired by the operator.

(3) An employer or contractor shall not require or permit a worker to work under a load raised by a hand-operated hoist unless the load is supported with adequate stands or blocks.

4 Oct 96 cO-1.1 Reg 1 s223.

Winches

224(1) An employer or contractor shall inspect all manually-operated hoisting or winching equipment thoroughly at appropriate intervals to ensure that the manually-operated hoisting or winching equipment is capable of safe operation.

(2) Before a worker operates a winch on a vehicle, the worker shall ensure that the brakes are applied or other effective means are taken to prevent movement of the vehicle.

(3) A worker who operates a vehicle on which a winch is in use shall not move the vehicle until the winch operator has given a signal that the vehicle can be moved safely.

(4) An employer or contractor shall not require or permit a worker to cross over or under a winch cable between a winch and the load or to go underneath the load while a winch is in use.

4 Oct 96 cO-1.1 Reg 1 s224.

A-frames and gin poles

225 An employer or contractor shall ensure that:

- (a) no A-frame or gin pole is inclined more than 45° from the vertical;
- (b) an A-frame or gin pole is restrained from uncontrolled lateral and vertical movement; and
- (c) the sheave and the cable keeper of an A-frame or gin pole are attached securely enough to withstand any load to which the assembly may be subjected.

4 Oct 96 cO-1.1 Reg 1 s225.

Pile-driving equipment

226(1) An employer or contractor shall ensure that:

- (a) pile-driving equipment is operated, inspected and maintained according to the manufacturer's instructions; and
 - (b) any structural repairs or modifications to pile-driving equipment are made under the direction of a professional engineer and certified as safe by the professional engineer before the pile-driving equipment is put in service.
- (2) Where pile-driving equipment is used, an employer or contractor shall ensure that a brake band or clutch that is contaminated by oil or grease is dismantled and cleaned or replaced before further use.
- (3) An employer or contractor shall ensure that:
- (a) before a pile is placed in position for driving, the pile head is cut square and, in the case of a timber pile, cleaned free of debris, bark and splintered wood; and
 - (b) workers are adequately protected from injury that may be caused by the failure of a pile being driven.
- (4) An employer or contractor shall not require or permit a worker who works with pile-driving equipment:
- (a) to remain or ride on a load being moved;
 - (b) to work, stand or pass under a suspended load; or
 - (c) to be on the superstructure of the equipment or within range of a falling pile unless the worker is directly involved in the operation of hoisting piles.
- (5) Where a worker uses pile-driving equipment, an employer or contractor shall ensure that:
- (a) a pile hammer is securely chocked while the hammer is suspended and the equipment is not operating; and
 - (b) no pile is hoisted in the leads while a worker who is not directly involved in the operation is on the superstructure of the equipment or within range of a falling pile.

- (6) Where pile-driving equipment is fitted with pressure hammers, an employer, contractor or supplier shall ensure that the hoses are equipped with safety chains or safety ropes on the pressure side of the hose connections.
- (7) An employer or contractor shall ensure that:
- (a) crane booms used with vibratory hammers or vibratory pile extractors are inspected monthly by a competent person for structural defects; and
 - (b) any structural defects found pursuant to clause (a) are repaired under the direction of a professional engineer and certified as safe by the professional engineer before the booms are put back into service.
- (8) An operator of pile-driving equipment shall ensure that:
- (a) the pile hammer is securely chocked while the hammer is suspended and the equipment is not operating; and
 - (b) no pile is hoisted in the leads while a worker who is not directly involved in the operation is on the superstructure of the equipment or within range of a falling pile.

4 Oct 96 cO-1.1 Reg 1 s226.

PART XIV

Rigging

Interpretation

227 In this Part:

- (a) **“pendant”** means a fixed-length rope that forms part of a boom-suspension system;
- (b) **“rigging”** means any combination of rope, wire rope, cable, chain, sling, sheave, hook and associated fittings used in a hoisting operation.

4 Oct 96 cO-1.1 Reg 1 s227.

General requirements

228 An employer or contractor shall ensure that:

- (a) all rigging is assembled, used, maintained and dismantled under the supervision of a competent worker and in accordance with the manufacturer's specifications and instructions; and
- (b) any worker who is required or permitted to assemble, use, maintain or dismantle rigging is trained in safe rigging practices.

4 Oct 96 cO-1.1 Reg 1 s228.

Inspection

229 An employer or contractor shall ensure that all rigging and components of rigging are inspected thoroughly at appropriate intervals and visually inspected before use to ensure that the rigging and rigging components will safely perform the intended function of the rigging and rigging components.

4 Oct 96 cO-1.1 Reg 1 s229.

Maximum loads

230(1) An employer or contractor shall ensure that no load is imposed on any rigging that is in excess of:

- (a) 10% of the breaking strength of the weakest part of the rigging, in the case of rigging used to raise or lower workers; and
- (b) 20% of the breaking strength of the weakest part of the rigging, in the case of any other rigging.

(2) Subject to subsection (3), an employer, contractor or supplier shall ensure that the maximum load that may be hoisted by any rigging, as determined by the manufacturer of the rigging or a professional engineer, is conspicuously marked on the rigging.

(3) Where it is not practicable to conspicuously mark the maximum load on the rigging, an employer or contractor shall ensure that information about the maximum load that may be hoisted by the rigging is made readily available to the workers.

4 Oct 96 cO-1.1 Reg 1 s230.

Slings

231(1) An employer or contractor shall ensure that a sling used to hoist a load and the sling's fittings and attachments are:

- (a) suitable for the intended use of the sling, fittings and attachments;
- (b) suitable for, and capable of, supporting the load being hoisted;
- (c) arranged to prevent the load or any part of the load from slipping or falling;
- (d) arranged to ensure that the load is equally divided among the slings, when more than one sling is used;
- (e) capable of supporting:
 - (i) at least 10 times the load to which the sling, fittings and attachments may be subjected, where they are used to support a worker; and
 - (ii) at least five times the maximum load to which the sling, fittings and attachments may be subjected, in any other case; and
- (f) guarded to prevent damage to the sling, where the sling may be applied over a sharp edge.

- (2) An employer, contractor or supplier shall ensure that a sling:
 - (a) is clearly labelled to indicate the sling's maximum load or the sling's maximum load is made readily available to workers; and
 - (b) is not used if the sling has been or may be damaged.

4 Oct 96 cO-1.1 Reg 1 s231.

Shackles

232(1) An employer or contractor shall ensure that no shackle is subjected to a load greater than the maximum load indicated on the shackle.

- (2) An employer or contractor shall ensure that:
 - (a) all shackle pins are installed to prevent accidental withdrawal; and
 - (b) a bolt is never used in place of a properly fitted shackle pin.

4 Oct 96 cO-1.1 Reg 1 s232.

Sheaves, spools and drums

233(1) An employer or contractor shall ensure that:

- (a) the diameter of a sheave, spool or drum for wire rope is not less than the diameter specified by the manufacturer of the rope and the rope is the correct size for the sheave, spool or drum over which the rope passes;
 - (b) the grooving of a sheave is the correct size for the diameter of rope; and
 - (c) a block or sheave is constructed or installed so that the rope cannot leave the block or sheave groove.
- (2) An employer or contractor shall ensure that:
 - (a) rope fastened to a winding drum is fastened securely;
 - (b) the number of full wraps of rope that remain on a winding drum corresponds to the manufacturer's recommendations; and
 - (c) where there are no manufacturer's recommendations, at least five full wraps of rope remain on a winding drum at all times.

4 Oct 96 cO-1.1 Reg 1 s233.

Knots, wire rope clips

234(1) An employer or contractor shall ensure that:

- (a) no knot or wire rope clip is used as a stopper on a rope or rope end that passes through a winding drum; and
 - (b) no knot is used to connect rigging hardware to a wire rope.
- (2) An employer or contractor shall ensure that all wire rope clips are:
 - (a) made of drop-forged steel;
 - (b) installed according to the manufacturer's instructions; and
 - (c) inspected at frequent intervals to ensure the nuts are tight.

(3) Where U-bolt clips are used to fasten wire rope, an employer or contractor shall ensure that:

- (a) the U-bolt is installed so that the U section bears on the short or dead end of the rope and the saddle bears on the long or live end of the rope;
- (b) the nuts are correctly torqued; and
- (c) the number of clips and the amount of rope turn-back conform to the manufacturer's specifications and instructions.

(4) Where double saddle or fist clips are used to fasten wire rope, an employer or contractor shall ensure that the clips are installed in numbers and with the amount of rope turn-back specified by the manufacturer.

(5) Where double base clips are used to fasten wire rope, an employer or contractor shall ensure that the clips are at least six rope diameters in length.

4 Oct 96 cO-1.1 Reg 1 s234.

Eye loops

235(1) An employer or contractor shall ensure that every eye loop used in a sling:

- (a) is formed from:
 - (i) a flemish eye splice secured by a pressed steel ferrule; or
 - (ii) a steel wire loop secured by a cold-formed aluminum alloy ferrule; and
 - (b) is readily identifiable as being formed as described in clause (a).
- (2) Except where otherwise specified by the manufacturer of the rope, an employer or contractor shall ensure that a suitable and properly sized thimble is inserted in an eye loop to increase the strength of the eye and decrease wear on the rope.

4 Oct 96 cO-1.1 Reg 1 s235.

Hooks

236(1) Where the dislodgment of a hook could injure a worker, an employer or contractor shall ensure that the hook is secured by a safety latch, mousing, shackle or other effective means, except where:

- (a) skeleton steel is being hoisted or a similar operation is being performed while a sorting or grab hook is being used;
- (b) power poles or telephone poles are being hoisted into place or removed using an approved S-hook;
- (c) the design of the hook and the work practices used prevent dislodgement of the hook; or
- (d) the health and safety of a worker disconnecting the hook would be placed at risk.

(2) An employer or contractor shall not require or permit a worker to use a hook where:

- (a) the throat opening has been increased or the tip has been bent more than 10° out of plane from the hook body; or
- (b) any dimension of the hook has been reduced by more than 10%.

(3) An employer or contractor shall not require or permit a worker to side load, back load or tip load a hook unless the hook has been specifically designed for that purpose.

(4) An employer, contractor or supplier shall ensure that:

- (a) a hook is clearly labelled with the maximum load of the hook in a location where a worker using the hook can easily see the rating; or
- (b) the hook's maximum load is made readily available to workers.

(5) An employer or contractor shall not require or permit a worker to allow a load to bear against a safety latch, mousing or shackle.

4 Oct 96 cO-1.1 Reg 1 s236.

Wedge sockets

237 Where a wedge socket is used to anchor a wire rope, an employer or contractor shall ensure that:

- (a) the wedge socket is installed according to an approved method;
- (b) the dead end of the wire rope extends at least 15 centimetres beyond the wedge socket; and
- (c) the wire rope is fitted with a wire rope clip to prevent accidental release or loosening of the wedge.

4 Oct 96 cO-1.1 Reg 1 s237.

Wire rope

238(1) An employer or contractor shall ensure that wire rope used in rigging:

- (a) is the type, size, grade and construction recommended by the manufacturer of the hoisting equipment or is rope of an equivalent type, size, grade and construction;
- (b) is compatible with the sheaves and the drum of the hoisting equipment;
- (c) is lubricated to prevent corrosion and wear;
- (d) is not spliced or knotted; and
- (e) is fitted with end connections that:
 - (i) conform to the manufacturer's specifications and instructions concerning number, size and installation method; and
 - (ii) are securely fastened to the wire rope.

- (2) An employer or contractor shall ensure that no wire rope used in rigging:
- (a) subject to subsection (3), contains six or more randomly-distributed wires that are broken in one rope lay, or three or more wires that are broken in one strand in a rope lay;
 - (b) is worn by more than one-third of the original diameter of the wire rope's outside individual wires; or
 - (c) shows evidence of:
 - (i) kinking, bird-caging, corrosion or other damage resulting in distortion of the rope structure; or
 - (ii) damage that may result in rope failure.
- (3) An employer or contractor shall ensure that no wire rope that is static or that is used for pendants has:
- (a) three or more broken wires in one lay or in a section between end connectors; or
 - (b) one or more broken wires at an end connector.
- (4) An employer or contractor shall ensure that rotation-resistant wire rope is not used:
- (a) as a cable in boom hoist reeving and pendants; or
 - (b) where an inner wire or strand of the wire rope is damaged or broken.
- (5) An employer or contractor shall ensure that no load is imposed on any wire rope that exceeds the maximum load recommended by the manufacturer of the wire rope.

4 Oct 96 cO-1.1 Reg 1 s238.

Rotation or motion of load

239 Where a worker may be endangered by the rotation or motion of a load during hoisting, an employer or contractor shall ensure that:

- (a) one or more taglines are used to control the rotation or motion of the load;
- (b) the taglines are of sufficient length to protect the workers from any overhead hazard;
- (c) the taglines are not removed from the load until the load is securely landed; and
- (d) only workers directly engaged in the hoisting operation are allowed to be in the area where the load is being hoisted or lowered.

4 Oct 96 cO-1.1 Reg 1 s239.

PART XV
Robotics

Interpretation

240 In this Part:

- (a) **“emergency stop”** means a circuit that uses hardware-based components to override all other robot controls, shut off energy to a robot and stop all moving parts of a robot;
- (b) **“end-effector”** means an accessory device or tool specifically designed to be attached to a robot wrist or tool-mounting plate to enable the robot to perform the robot’s intended task;
- (c) **“interlock”** means an arrangement whereby the operation of one control or mechanism brings about, or prevents, the operation of another control or mechanism;
- (d) **“interlock barrier”** means a physical barrier around a work envelope that is equipped with gates and interlocks designed to stop all automatic operations of a robot and robot system when any gate within the barrier is opened;
- (e) **“limiting device”** means a device that restricts the distance a robot can travel after the limiting device is actuated;
- (f) **“pendant”** means a portable control device that permits an operator to control a robot from within the work envelope of the robot;
- (g) **“presence-sensing device”** means a device that is designed, constructed and installed to create a sensing field or area and that detects an intrusion into the field or area by workers, robots or other objects and stops all motion of the robot when the presence-sensing device is activated;
- (h) **“restricted work envelope”** means the portion of a work envelope to which a robot is restricted by limiting devices that establish limits that cannot be exceeded if the robot or the robot’s controls fail;
- (i) **“robot”** means a reprogrammable multi-functional manipulator designed to move material, parts, tools or specialized devices through variable programmed motions to perform a variety of tasks;
- (j) **“robot system”** means a robot and all the accessories required for the robot’s operation, including end-effectors, pendants, devices, sensors, safeguards, power and control panels and communication interfaces to sequence and monitor the robot;
- (k) **“slow speed”** means a mode of operation in which the speed of any part of a robot does not exceed 250 millimetres per second;
- (l) **“teach”** means to generate and store a series of positional datapoints by moving a robot arm through a path of intended motions;
- (m) **“work envelope”** means the volume of space enclosing the maximum designed reach of a robot, including the end-effector, and the material, part, tool or specialized device that the robot is designed to manipulate.

Application of Part

241 This Part applies to the installation, operation, teaching and maintenance of robots and robot systems, but does not apply to personal robots, automatic guided vehicle systems, automated storage and retrieval systems, automatic conveyor and shuttle systems, mobile robots or numerically controlled machine tools.

4 Oct 96 cO-1.1 Reg 1 s241.

Safe work practices and procedures

242(1) An employer, in consultation with the committee, the representative or, where there is no committee or representative, the workers, shall:

- (a) assess the potential hazards to a worker who is required or permitted to install, operate, teach or maintain a robot or robot system at the place of employment; and
- (b) develop written safe work practices and procedures for the installation, operation, teaching and maintenance of robots and robot systems.

(2) An employer shall ensure that the workers are trained in and implement the safe work practices and procedures developed pursuant to clause (1)(b).

4 Oct 96 cO-1.1 Reg 1 s242.

General requirements

243 An employer shall ensure that robots and robot systems are:

- (a) installed, anchored and wired in accordance with the manufacturer's recommendations and specifications; and
- (b) compatible with conditions in the environment of the place of employment, including temperature, humidity, corrosive conditions, the presence of dust, the presence of electromagnetic interference or radiofrequency interference and other conditions that could affect the safe operation or control of the robot or robot system.

4 Oct 96 cO-1.1 Reg 1 s243.

Safeguards

244(1) Subject to subsection 245(2) and sections 246 and 247, an employer shall ensure that every robot and robot system is equipped with safeguards:

- (a) to prevent a worker from entering the restricted work envelope while the robot or robot system is in motion; or
- (b) to inhibit robot motion while any part of a worker's body is within the restricted work envelope while the robot or robot system is in motion.

(2) The safeguards required by subsection (1):

- (a) may include interlock barriers, limiting devices and presence-sensing devices; and
- (b) must include clearly visible line markings on the floor on which the robot or robot system is mounted to identify the restricted work envelope.

4 Oct 96 cO-1.1 Reg 1 s244.

Controls

245(1) Subject to subsection (2), an employer shall ensure that a robot's primary controls, including a restart control:

- (a) are located outside the restricted work envelope;
- (b) are arranged so that the robot and robot system are clearly visible to the worker who operates the primary controls; and
- (c) cannot be activated inadvertently.

(2) Where a worker is required or permitted to enter the restricted work envelope, an employer shall ensure that the robot's motion cannot be initiated by any person other than the worker within the restricted work envelope using a pendant.

(3) An employer shall ensure that a worker who operates a robot or robot system is provided with a readily accessible emergency stop device.

(4) An employer shall ensure that the controls of a robot provide a slow speed option.

4 Oct 96 cO-1.1 Reg 1 s245.

Protection during maintenance or repair

246 Before a worker undertakes the maintenance or repair of a robot or robot system, an employer shall ensure that:

- (a) the robot or robot system is locked out and remains locked out during that activity; or
- (b) an equally effective procedure is implemented to protect the worker.

4 Oct 96 cO-1.1 Reg 1 s246.

Protection during teaching

247 Where a worker is required or permitted to teach a robot, an employer shall ensure that:

- (a) only the worker who is teaching the robot is allowed to enter the restricted work envelope;
- (b) the robot system is under the sole control of the worker who is teaching the robot;
- (c) when the robot is under drive power, it operates at slow speed only or at a speed that is deliberately selected and maintained by the worker who is teaching the robot;
- (d) the robot will not respond to a remote interlock or signal that would activate the robot; and
- (e) the worker leaves the restricted work envelope before returning the robot to automatic operation.

4 Oct 96 cO-1.1 Reg 1 s247.

PART XVI
Entrances, Exits and Ladders

General duty re entrances, exits

248 An employer, contractor or owner shall provide and maintain a safe means of entrance to and exit from a place of employment and all worksites and work-related areas in or on a place of employment.

4 Oct 96 cO-1.1 Reg 1 s248.

Doors

249 An employer, contractor or owner shall ensure that:

- (a) every door in a hazardous work area opens away from the hazard and is not blocked by an obstruction; and
- (b) every walk-in freezer or refrigerator is equipped with a means to open the door from the inside.

4 Oct 96 cO-1.1 Reg 1 s249.

Travelways

250(1) An employer, contractor or owner shall ensure that every travelway:

- (a) is strong enough to withstand any traffic to which the travelway may be subjected;
- (b) has secure footing for workers and adequate traction for vehicles or equipment; and
- (c) is at least:
 - (i) 600 millimetres wide, in the case of travelways installed before July 1, 1997; and
 - (ii) 900 millimetres wide, in the case of travelways installed on and after July 1, 1997.

(2) An employer, contractor or owner shall ensure that every travelway that may give rise to a hazard described in subsection 116(2) is provided with a guardrail.

4 Oct 96 cO-1.1 Reg 1 s250.

Stairs

251 An employer, contractor or owner shall ensure that:

- (a) the widths of treads, the depths of treads and the vertical distances between treads are uniform throughout the length of any stairway and that each tread is level; and
- (b) any stairs installed on or after the day on which this section comes into force, including temporary stairs, are at least 600 millimetres wide.

4 Oct 96 cO-1.1 Reg 1 s251.

Ladders

252(1) An employer, contractor or supplier shall ensure that every ladder is designed, constructed, used and maintained to perform its function safely.

(2) An employer, contractor or supplier shall ensure that:

- (a) no wooden ladder or stepladder is painted with any substance other than a transparent coating; and
- (b) no ladder is made by fastening cleats across a single rail or post.

4 Oct 96 cO-1.1 Reg 1 s252.

Portable ladders

253(1) In this section and section 254, "**portable ladder**" means any ladder that is not fixed in place, and includes a stepladder.

(2) An employer or contractor shall ensure that:

- (a) a portable ladder is equipped with non-slip feet;
- (b) a portable ladder is secured against accidental movement during use;
- (c) a metal or wire-bound portable ladder is not used where the ladder or a worker handling or using the ladder may come into contact with an exposed energized electrical conductor; and
- (d) a portable ladder extends at least one metre above any platform, roof or other landing to which the ladder is used as a means of access.

(3) An employer or contractor shall ensure that each worker who handles or uses a portable ladder is instructed in the requirements of this section.

(4) An employer or contractor shall ensure that a stepladder:

- (a) is not more than six metres high when set for use;
- (b) has legs that are securely held in position by means of metal braces or an equivalent rigid support; and
- (c) when in use, has a front section slope at an angle of one horizontal to six vertical.

(5) An employer or contractor shall ensure that:

- (a) an extension ladder is equipped with locks that securely hold the sections of the ladder in the extended position;
- (b) where a section of an extension ladder is extended, the section that is extended overlaps another section for at least one metre;
- (c) an extension ladder consisting of two sections does not exceed 14.6 metres in length; and
- (d) an extension ladder consisting of more than two sections does not exceed 20 metres in length.

(6) An employer or contractor shall ensure that no single portable ladder and no section of an extension ladder exceeds nine metres in length.

4 Oct 96 cO-1.1 Reg 1 s253.

Use of portable ladders

254(1) Where a worker uses a portable ladder other than a stepladder, an employer or contractor shall ensure that:

- (a) the ladder is placed against the structure so that the slope of the ladder is one horizontal to four vertical;
 - (b) the worker does not extend any part of the worker's body except for the worker's arms beyond the side rails of the ladder; and
 - (c) the worker maintains a three-point stance on the ladder at all times.
- (2) An employer or contractor shall ensure that a worker does not work from either of the top two rungs or steps of a portable ladder, unless the ladder is a stepladder that has a platform equipped with a suitable handrail.

4 Oct 96 cO-1.1 Reg 1 s254.

Fixed ladders

255(1) In this section, "**fixed ladder**" means a ladder that is fixed to a structure in a vertical position or at an angle that is between vertical and 25° to the vertical, but does not include a ladder used in underground mining operations to which *The Mines Regulations* apply.

(2) A ladder that is fixed to a structure at an angle of more than 25° to the vertical, or more than one horizontal to two vertical, is deemed to be a stairway and is subject to the requirements of sections 121 and 251.

(3) An employer, contractor or owner shall ensure that:

- (a) the rungs on a fixed ladder are uniformly spaced with centres that are not less than 250 and not more than 300 millimetres apart;
- (b) a clearance of at least 150 millimetres is maintained between the rungs on a fixed ladder and the structure to which the ladder is affixed;
- (c) a fixed ladder is securely held in place at the top and bottom and at any intermediate points that are necessary to prevent sway;
- (d) the side rails of a fixed ladder extend not less than one metre above any platform, roof or other landing on the structure to which the ladder is fixed;
- (e) a ladder opening in a platform, roof or other landing does not exceed 750 millimetres by 750 millimetres;
- (f) a fixed ladder that is more than six metres high:
 - (i) is equipped with:
 - (A) platforms at intervals of not more than six metres or ladder cages, in the case of ladders installed on or before March 11, 1986; or
 - (B) platforms at intervals of not more than six metres and ladder cages, in the case of ladders installed on or after March 12, 1986; or
 - (ii) is equipped with a personal fall arrest system that meets the requirements of Part VII; and
- (g) a fixed ladder in an excavated shaft is installed in a compartment that is separated from the hoist compartment by a substantial partition.

(4) Where a ladder cage is required by these regulations, an employer, contractor or owner shall ensure that:

- (a) the ladder cage is constructed of hoops that are not more than 1.8 metres apart, joined by vertical members not more than 300 millimetres apart around the circumference of the hoop;
- (b) no point on a hoop of the ladder cage is more than 750 millimetres from the ladder; and
- (c) the ladder cage is of sufficient strength and is designed to contain any worker who may lean or fall against a hoop.

(5) In the case of a ladder cage constructed before July 1, 1997, an employer, contractor or owner shall ensure that:

- (a) the lowest hoop of the ladder cage is not more than three metres from a platform, landing or the ground; and
- (b) the uppermost hoop of the ladder cage is at the level of a platform, landing or roof.

(6) In the case of a ladder cage constructed on or after July 1, 1997, an employer, contractor or owner shall ensure that:

- (a) the lowest hoop of the ladder cage is not more than 2.2 metres from a platform, landing or the ground; and
- (b) the uppermost hoop of the ladder cage extends at least one metre above the level of a platform, landing or roof.

4 Oct 96 cO-1.1 Reg 1 s255; 10 Aug 2007 SR 67/
2007 s23.

Construction ladders

256(1) In this section, "**construction ladder**" means a ladder constructed at a worksite.

(2) An employer or contractor shall ensure that:

- (a) the side rails of a construction ladder that is five metres or less in length are constructed of number 1 structural grade spruce lumber that measures not less than 38 by 89 millimetres or of material of equivalent strength and rigidity;
- (b) the side rails of a construction ladder that is over five metres in length are constructed of number 1 structural grade spruce lumber that measures not less than 38 by 140 millimetres or of material of equivalent strength and rigidity;
- (c) no construction ladder is more than 10 metres long;

- (d) the rungs of a construction ladder are:
 - (i) constructed of number 1 structural grade spruce lumber that measures not less than 21 by 89 millimetres or of material of equivalent strength and rigidity;
 - (ii) supported by filler blocks or secured by a single continuous wire; and
 - (iii) uniformly spaced with not more than 300 millimetres between their centres;
- (e) the width between the side rails of a construction ladder is at least 500 millimetres;
- (f) every two-way construction ladder that permits traffic in both directions at the same time is not less than 1.2 metres wide and is constructed with a centre structural rail throughout the ladder's entire length; and
- (g) no plywood is used for the side rails or rungs of a construction ladder.

4 Oct 96 cO-1.1 Reg 1 s256.

PART XVII

Excavations, Trenches, Tunnels and Excavated Shafts

Interpretation

257 In this Part:

- (a) **"sheeting"** means the members of a shoring system that retain the earth in position and, in turn, are supported by other members of the shoring system, and includes uprights placed so that individual members are closely spaced, in contact with or interconnected to each other;
- (b) **"shoring"** means an assembly of structural members designed to prevent earth or material from falling or sliding into an excavation;
- (c) **"spoil pile"** means material excavated from an excavation, trench, tunnel or excavated shaft;
- (d) **"temporary protective structure"** means a structure or device in an excavation, trench, tunnel or excavated shaft that is designed to provide protection from cave-ins, collapse, sliding or rolling materials, and includes shoring, boxes, trench shields and similar structures;
- (e) **"type 1 soil"** means soil that most closely exhibits the following characteristics:
 - (i) is hard in consistency, very dense in compactive condition and, if a standard penetration test is performed, has a standard penetration resistance of greater than 50 blows per 300 millimetres;
 - (ii) can be penetrated only with difficulty by a small, sharp object;

- (iii) has a dry appearance;
 - (iv) has no signs of water seepage;
 - (v) can be excavated only by mechanical equipment;
 - (vi) does not include previously excavated soils;
- (f) **"type 2 soil"** means soil that most closely exhibits the following characteristics:
- (i) is very stiff in consistency, dense in compactive condition and, if a standard penetration test is performed, has a standard penetration resistance of 30 to 50 blows per 300 millimetres;
 - (ii) can be penetrated with moderate difficulty by a small, sharp object;
 - (iii) is difficult to excavate with hand tools;
 - (iv) has a low to medium natural moisture content and a damp appearance after it is excavated;
 - (v) has no signs of water seepage;
 - (vi) does not include previously excavated soils;
- (g) **"type 3 soil"** means soil that:
- (i) most closely exhibits the following characteristics:
 - (A) is stiff in consistency, compact in compactive condition and, if a standard penetration test is performed, has a standard penetration resistance of 10 to 29 blows per 300 millimetres;
 - (B) can be penetrated with moderate ease by a small, sharp object;
 - (C) is moderately difficult to excavate with hand tools;
 - (D) exhibits signs of surface cracking;
 - (E) exhibits signs of localized water seepage; or
 - (ii) is previously excavated soil that does not exhibit any of the characteristics of type 4 soil;
- (h) **"type 4 soil"** means soil that:
- (i) exhibits any of the following characteristics:
 - (A) is firm to very soft in consistency, loose to very loose in compactive condition and, if a standard penetration test is performed, has a standard penetration resistance of less than 10 blows per 300 millimetres;
 - (B) is easy to excavate with hand tools;
 - (C) is cohesive soil that is sensitive and, on disturbance, is slightly reduced in internal strength;
 - (D) is dry and runs easily into a well-defined conical pile;
 - (E) has a wet appearance and runs easily or flows;

(F) is granular soil below the water table, unless the soil has been dewatered;

(G) exerts substantial hydraulic pressure when a support system is used; or

(ii) is previously excavated soil that exhibits any of the characteristics set out in paragraphs (i)(A) to (G);

(i) **“upright”** means a vertical member of a shoring system that is placed in contact with the earth and usually positioned so that the vertical member does not contact any other vertical member;

(j) **“wale”** means a horizontal member of a shoring system that is placed parallel to the excavation face and whose sides bear against the vertical members of the shoring system or the earth.

4 Oct 96 cO-1.1 Reg 1 s257.

Application of Part

258 This Part applies to excavations, trenches, tunnels and excavated shafts other than excavations, trenches, tunnels and excavated shafts that are governed by *The Mines Regulations*.

4 Oct 96 cO-1.1 Reg 1 s258.

Locating underground pipelines, etc.

259(1) An employer or contractor shall accurately establish the location of all underground pipelines, cables and conduits in an area where work is to be done and shall ensure that those locations are conspicuously marked:

(a) before commencing work using power tools or powered mobile equipment on an excavation, trench, tunnel, excavated shaft or borehole; or

(b) before breaking ground surface with any equipment to a depth that may contact underground utilities.

(2) Where an operation is to be undertaken involving the disturbance of soil within 600 millimetres of an existing pipeline, cable or conduit, an employer or contractor shall ensure that the pipeline, cable or conduit is exposed by hand digging or other approved method before mechanical excavating is allowed to begin within that area.

(3) Where an operation mentioned in subsection (2) exposes a pipeline, cable or conduit, an employer or contractor shall ensure that the pipeline, cable or conduit is supported to prevent any damage during backfilling and any subsequent settlement of the ground.

(4) Where there is contact with or damage to an underground pipeline, cable or conduit, an employer or contractor shall immediately:

(a) notify the owner of the pipeline, cable or conduit that contact or damage has occurred; and

(b) take steps to protect the health and safety of any worker who may be at risk until any unsafe condition resulting from the contact or damage is repaired or corrected.

4 Oct 96 cO-1.1 Reg 1 s259.

Excavating and trenching

260(1) An employer or contractor shall ensure that:

- (a) before excavating or trenching begins, where the stability of a structure may be affected by an excavation or trench, the structure is supported by a temporary protective structure designed by a professional engineer and constructed, installed, used, maintained and dismantled in accordance with that design;
 - (b) all loose material is scaled or trimmed from the side of an excavation or trench where a worker is required or permitted to be present;
 - (c) equipment, spoil piles, rocks and construction materials are kept at least one metre from the edge of an excavation or trench;
 - (d) an excavation or trench that a worker may be required or permitted to enter is kept free from any accumulation of water; and
 - (e) the slope of a spoil pile adjacent to an excavation or trench has a slope at an angle not steeper than one horizontal to one vertical, or 45° measured from the horizontal.
- (2) Subject to subsections (3) and (4), where a wall of an excavation or trench is cut back, an employer or contractor shall ensure that:
- (a) in the case of type 1 or type 2 soil, the walls are sloped to within 1.2 metres of the bottom of the excavation or trench, with a slope at an angle not steeper than one horizontal to one vertical, or 45° measured from the horizontal;
 - (b) in the case of type 3 soil, the walls are sloped from the bottom of the excavation or trench, with a slope at an angle not steeper than one horizontal to one vertical, or 45° measured from the horizontal; and
 - (c) in the case of type 4 soil, the walls are sloped from the bottom of the excavation or trench, with a slope at an angle not steeper than three horizontal to one vertical, or 19° measured from the horizontal.
- (3) Where an excavation or trench contains more than one type of soil, the soil must be classified as the soil type with the highest number.
- (4) Subsection (2) does not apply to an excavation or trench that is cut in sound and stable rock.
- (5) Where an excavation or trench is to be made in the vicinity of an overhead power line, an employer or contractor shall ensure that the work is carried out in a manner that will not reduce the original support provided for any overhead power line pole, unless permission has previously been obtained from the utility company responsible for the overhead power line.
- (6) An employer or contractor shall ensure that no powered mobile equipment or vehicle is operated, and that no powered mobile equipment, vehicle or heavy load is located, near an excavation or trench so as to affect the stability of the walls of the excavation or trench.

Temporary protective structures

261(1) An employer or contractor shall ensure that a temporary protective structure to be used pursuant to this Part:

- (a) is designed, constructed, installed, used, maintained and dismantled to provide adequate protection to a worker who is in an excavation, trench, tunnel, excavated shaft or borehole and to a worker who installs, uses, maintains or dismantles the temporary protective structure; and
- (b) extends at least 300 millimetres above the wall of the excavation, trench, tunnel, excavated shaft or borehole to prevent material from falling in.

(2) An employer or contractor shall ensure that:

- (a) all drawings and instructions necessary to safely construct, install, use, maintain and dismantle a temporary protective structure required pursuant to this Part are kept at the site of the excavation, trench, tunnel, excavated shaft or borehole; and
- (b) where required by this Part, a professional engineer certifies that the temporary protective structure, if constructed and installed as drawn and used, maintained and dismantled as instructed, will provide adequate protection to a worker who constructs, installs, uses, maintains or dismantles the temporary protective structure.

(3) Freezing the ground by artificial means is acceptable as an alternative or partial alternative to installing a temporary protective structure in an excavation, trench, tunnel, excavated shaft or borehole if the freezing is:

- (a) designed by a professional engineer to control the ground condition so as to ensure the safety of workers; and
- (b) performed in accordance with the professional engineer's specifications and instructions.

(4) Natural freezing of the ground is not acceptable as an alternative or partial alternative to the installation of temporary protective structures.

4 Oct O-1.1 Reg 1 s261.

Protection against cave-in of excavations

262(1) Where a worker is present in an excavation that is more than 1.2 metres deep and is required to be closer to the wall or bank than the distance equal to the depth of the excavation, an employer or contractor shall ensure that the worker is protected from cave-ins or sliding material by:

- (a) cutting back the upper portion of the walls of the excavation in accordance with subsection 260(2);
- (b) installing a temporary protective structure; or
- (c) a combination of cutting back the walls to the slope specified in subsection 260(2) and installing a temporary protective structure that extends at least 300 millimetres above the base of the cut-back.

(2) Subject to subsection (3), an employer or contractor shall ensure that a temporary protective structure required by clause (1)(b) or (c) is:

(a) designed and installed using shoring made of number 1 structural grade spruce lumber having the dimensions set out in Table 17 of the Appendix for the type of soil and the depth of the excavation or made of material of equivalent or greater strength; or

(b) designed by a professional engineer and constructed, installed, used, maintained and dismantled in accordance with that design.

(3) An employer or contractor shall ensure that a temporary protective structure in an excavation more than three metres deep is designed and certified as safe by a professional engineer and installed, used, maintained and dismantled in accordance with that design.

4 Oct 96 cO-1.1 Reg 1 s262.

Protection against cave-in of trenches

263(1) Where a worker is present in a trench that is more than 1.2 metres deep, an employer or contractor shall ensure that the worker is protected from cave-ins or sliding material by:

(a) cutting back the upper portion of the walls of the trench in accordance with subsection 260(2);

(b) installing a temporary protective structure; or

(c) a combination of cutting back the walls to the slope specified in subsection 260(2) and installing a temporary protective structure that extends at least 300 millimetres above the base of the cut-back.

(2) An employer or contractor shall ensure that a temporary protective structure required by clause (1)(b) or (c) is:

(a) designed and installed using shoring made of number 1 structural grade spruce lumber having the dimensions set out in Table 17 of the Appendix for the type of soil and the depth of the trench or made of material of equivalent or greater strength; or

(b) designed by a professional engineer and constructed, installed, used, maintained and dismantled in accordance with that design.

(3) An employer or contractor shall ensure that a temporary protective structure in a trench more than six metres deep in type 1, type 2 or type 3 soil or in a trench more than four metres deep in type 4 soil is designed and certified as safe by a professional engineer and installed, used, maintained and dismantled in accordance with that design.

(4) An employer or contractor shall ensure that:

(a) shoring is installed and removed in a manner that protects workers from cave-ins and structural collapses and from being struck by shoring components;

- (b) shoring components are securely connected together to prevent sliding, falling, kickouts or other possible failure; and
 - (c) individual components of shoring are not subjected to loads that exceed the loads the components were designed to bear.
- (5) Where a worker is in a trench that is more than 1.2 metres deep, an employer or contractor shall ensure that a competent worker is stationed on the surface to alert the worker in the trench about the development of any potentially unsafe conditions and to provide assistance in an emergency.
- (6) Where a worker is required to enter a trench, an employer or contractor shall:
- (a) install ladders, stairways or ramps to provide a safe means of entrance to and exit from the trench; and
 - (b) ensure that the ladder, stairway or ramp is located not more than eight metres from a worker working in the trench.
- (7) An employer or contractor shall ensure that workers are instructed in and comply with the requirements of this section.

4 Oct 96 cO-1.1 Reg 1 s263.

Excavated shafts and tunnels

264(1) An employer or contractor shall ensure that:

- (a) during excavating, the walls of an excavated shaft or tunnel are retained by temporary protective structures that are adequate:
 - (i) for the type of soil; and
 - (ii) to prevent collapse or cave-in of the walls of the excavated shaft or tunnel;
 - (b) during the excavating of an excavated shaft that is three metres or more deep or of a tunnel, the walls of the shaft or tunnel are retained by temporary protective structures designed and certified by a professional engineer to be adequate for the protection of workers in the shaft or tunnel and constructed, installed, used, maintained and dismantled in accordance with that design;
 - (c) a solid or wire mesh fence at least one metre high, or other equally effective means of preventing material from falling into an excavated shaft or the surface opening of a tunnel, is provided around that shaft or opening; and
 - (d) substantial gates that are not less than one metre high are installed in every opening in a fence provided pursuant to clause (c) and the gates are kept closed except when being used.
- (2) A worker who opens a gate mentioned in clause (1)(d) shall close the gate after the worker no longer has a need to keep the gate open.
- (3) An employer or contractor shall provide suitable equipment to keep a tunnel or excavated shaft free from any accumulation of water.

4 Oct 96 cO-1.1 Reg 1 s264.

Boreholes, belled areas of excavated shafts

265(1) An employer or contractor shall ensure that:

- (a) a worker who is required or permitted to enter a borehole is protected by the installation of a casing that is designed by a professional engineer and constructed, installed, used, maintained and dismantled in accordance with that design; and
 - (b) the casing mentioned in clause (a) extends and remains at least 300 millimetres above the surface of the ground to prevent material from falling into the casing.
- (2) An employer or contractor shall not require or permit a worker:
- (a) to enter the belled area of an excavated shaft unless the worker is protected by a temporary protective structure that is designed by a professional engineer and constructed, installed, used, maintained and dismantled in accordance with that design; or
 - (b) to remain in a belled area of an excavated shaft where the worker may be exposed to falling materials.
- (3) An employer or contractor shall ensure that the worker precedes or accompanies each load of excavated material to the surface.

4 Oct 96 cO-1.1 Reg 1 s265.

PART XVIII
Confined Space Entry

Interpretation

266 In this Part:

- (a) **"confined space"** means an enclosed or partially enclosed space that:
 - (i) is not primarily designed or intended for human occupancy, except for the purpose of performing work; and
 - (ii) has restricted means of entrance and exit;
- (b) **"hazardous confined space"** means a confined space that is or may become hazardous to a worker entering the confined space due to:
 - (i) the design, construction or atmosphere of the confined space;
 - (ii) the materials or substances in the confined space;
 - (iii) the work activities or processes used in the confined space; or
 - (iv) any other conditions relating to the confined space;
- (c) **"isolate"** means to physically interrupt or disconnect pipes, lines and sources of energy from a confined space.

4 Oct 96 cO-1.1 Reg 1 s266.

Identification of confined spaces, hazards, etc.

267 Where a worker may be required or permitted to work in a confined space, an employer, in consultation with the committee, shall identify:

- (a) types of confined spaces at the place of employment that a worker may be required or permitted to enter;
- (b) types of hazards that are or may be present at each confined space;
- (c) alternative means to perform the work to be performed in a confined space that will not require the worker to enter the confined space; and
- (d) alterations to the physical characteristics of the confined spaces that may be necessary to ensure safe entrance to and exit from all accessible parts of each confined space.

4 Oct 96 cO-1.1 Reg 1 s267.

Avoidance of entry into hazardous confined space

268(1) Where reasonably practicable, an employer shall use an alternative means to perform work that will not require a worker to enter a hazardous confined space.

(2) An employer shall take all reasonably practicable steps to prevent any unauthorized entry into the confined space.

4 Oct 96 cO-1.1 Reg 1 s268.

Requirements before confined space is entered

269(1) Where a worker will be required or permitted to work in a confined space, an employer, contractor or owner shall, before requiring or permitting the worker to enter the confined space:

- (a) ensure that there is a safe entrance to and exit from all accessible parts of the confined space; and
 - (b) make all practicable alterations to the physical characteristics of the confined space necessary to ensure a safe entrance to and exit from all accessible parts of the confined space.
- (2) In making alterations pursuant to clause (1)(b), an employer shall ensure that the structural integrity of the confined space is maintained.

4 Oct 96 cO-1.1 Reg 1 s269.

Requirements before hazardous confined space is entered

270(1) Before a worker is required or permitted to enter a confined space, an employer shall appoint a competent person:

- (a) to assess the hazards;
 - (b) where a hazardous atmosphere has been identified, to test the atmosphere of the confined space for:
 - (i) oxygen enrichment or deficiency;
 - (ii) the presence of flammable or explosive substances; and
 - (iii) the presence and hazardous concentration of airborne chemical substances; and
 - (c) to determine whether:
 - (i) work activities or processes will result in the release of toxic, flammable or explosive concentrations of any substances during the worker's occupation of the confined space;
 - (ii) measures have been taken to ensure that a worker will not drown or become entrapped in any liquid or free-flowing solid present in the confined space;
 - (iii) the entry of any liquid, free-flowing solid or hazardous substance into the confined space in a quantity that could endanger the health or safety of the worker has been prevented;
 - (iv) all energy sources that present a hazard to a worker entering into, exiting from or occupying the confined space have been locked out, with the energy sources being put in a zero energy state;
 - (v) any hazards from biological substances are present in the confined space; and
 - (vi) the opening for entry into and exit from the confined space is sufficient to allow safe passage of a worker who is using personal protective equipment required by these regulations.
- (2) When testing the atmosphere of a confined space pursuant to clause (1)(b), a competent person shall use appropriate and properly calibrated instruments that have been tested to ensure that the instruments are capable of operating safely and effectively.
- (3) A competent person who carries out the activities described in clauses (1)(a) to (c) shall prepare a report in writing that sets out:
- (a) the results of the assessment, tests and determinations;
 - (b) recommended special precautions and procedures to reduce the risk to a worker that are to be followed by a worker entering into, exiting from or occupying the confined space; and
 - (c) recommended personal protective equipment to be used by a worker entering the confined space.

Notice where no hazard found

271 Where a confined space is not identified as a hazardous confined space, an employer shall:

- (a) notify a worker who is required to enter the confined space verifying that the confined space is not hazardous;
- (b) arrange for a method of communication with a worker on entry to and exit from the confined space and at appropriate intervals while a worker is in the confined space;
- (c) prepare a procedure for the removal of a worker who has become injured or incapacitated while in the confined space; and
- (d) ensure that the ventilation in the confined space is adequate to maintain safe atmospheric conditions.

4 Oct 96 cO-1.1 Reg 1 s271.

Entry plan

272(1) Where a worker will be required or permitted to enter a hazardous confined space, an employer, in consultation with the committee, shall develop a hazardous confined space entry plan to ensure the health and safety of workers who enter or work in the hazardous confined space.

(2) A hazardous confined space entry plan must be in writing and must include:

- (a) the tests or measurements necessary to monitor any oxygen deficiency or enrichment or the presence and hazardous concentration of flammable or explosive substances;
- (b) the identification of any other hazards that may be present in the hazardous confined space and may put the health or safety of workers at risk;
- (c) the means, if any, of isolating the hazardous confined space;
- (d) the means, if any, of ventilating the hazardous confined space;
- (e) the procedures to enter, work in and exit from the hazardous confined space safely;
- (f) the availability, location and proper use of personal protective equipment;
- (g) the rescue procedures to be followed, including the number and duties of personnel and the availability, location and proper use of equipment;
- (h) the means to maintain effective communication with a worker who has entered the hazardous confined space; and
- (i) the availability, location and proper use of any other equipment that a worker may need to work safely in the hazardous confined space.

(3) An employer shall ensure that the following workers are trained in and implement a hazardous confined space entry plan:

- (a) a worker who is required or permitted to enter the hazardous confined space;
- (b) a worker who attends a worker in the hazardous confined space pursuant to subsection 274(4) or (5);
- (c) a worker who may be required or permitted to implement the rescue procedures mentioned in clause (2)(g).

(4) An employer shall make a copy of a hazardous confined space entry plan readily available at the entrance to the hazardous confined space.

4 Oct 96 cO-1.1 Reg 1 s272.

Purging and ventilating of unsafe atmosphere

273(1) In addition to the requirements of section 369, where a concentration of a toxic, flammable or explosive substance is present or an oxygen enrichment or deficiency exists in a hazardous confined space, an employer shall ensure that the hazardous confined space is:

(a) purged and ventilated before a worker is allowed to enter the space, so that:

- (i) any hazard associated with a toxic, flammable or explosive substance is reduced to the extent that is possible or eliminated; and
- (ii) an oxygen content of not less than 19.5% and not more than 23% is ensured; and

(b) continuously ventilated at all times during which the worker occupies the hazardous confined space, to maintain a safe atmosphere.

(2) Where ventilation is used to reduce or eliminate a hazard pursuant to subsection (1), an employer shall ensure that a competent person tests the atmosphere to determine that the confined space is safe for entry by a worker:

- (a) before a worker enters the confined space;
- (b) where all workers have vacated the confined space, before any worker re-enters the confined space;
- (c) on the request of a worker who is required or permitted to enter the confined space; and
- (d) continuously where any condition in the confined space may change and put the worker's health or safety at risk.

4 Oct 96 cO-1.1 Reg 1 s273.

Precautions where safe atmosphere not possible

274(1) Where a hazardous confined space cannot be purged and ventilated to provide a safe atmosphere or a safe atmosphere cannot be maintained pursuant to section 273, an employer shall ensure that no work is carried on in the confined space except in accordance with the requirements of this section and section 369.

(2) An employer shall ensure that a competent person continuously monitors the atmosphere in a hazardous confined space.

(3) An employer shall ensure that a worker is provided with and required to use a respiratory protective device that meets the requirements of Part VII if:

- (a) the airborne concentration for any substance meets or exceeds the permissible contamination limit mentioned in clause 307(1)(a);
- (b) oxygen deficiency or enrichment is detected; or
- (c) the airborne concentration of any other substance may be harmful to the worker.

(4) An employer shall ensure that a worker in a hazardous confined space is attended by and in communication with another worker who:

- (a) has been adequately trained in the rescue procedures mentioned in clause 272(2)(g);
- (b) is stationed and remains at the entrance to the confined space unless replaced by another adequately trained worker; and
- (c) is equipped with a suitable alarm to summon assistance.

(5) If entrance to a hazardous confined space is from the top:

- (a) an employer shall ensure that:
 - (i) a worker uses a full-body harness and, where appropriate, is attached to a lifeline;
 - (ii) if a lifeline is used, the lifeline is attended by another worker who is adequately trained in the rescue procedures mentioned in clause 272(2)(g); and
 - (iii) where reasonably practicable, a mechanical lifting device is available to assist with a rescue and is located at the entry to the confined space while a worker is in the confined space; or
- (b) an employer shall ensure that an alternate method of rescue is developed and implemented where the use of a full-body harness or lifeline would create an additional hazard.

(6) If any flammable or explosive dusts, gases, vapours or liquids are or may be present in a hazardous confined space, an employer shall ensure that all sources of ignition are eliminated or controlled.

(7) An employer shall ensure that:

- (a) equipment necessary to rescue workers is readily available at the entrance to the hazardous confined space and used in accordance with the rescue procedures developed pursuant to clause 272(2)(g);
- (b) the holder of a class A qualification in first aid is available to provide immediate first aid; and
- (c) personnel who are trained in the rescue procedures developed pursuant to clause 272(2)(g) and who are fully informed of the hazards in the confined space are readily available to assist in a rescue procedure.

4 Oct 96 cO-1.1 Reg 1 s274.

Piping discharging hazardous substances

275(1) Where a worker may be required or permitted to work in a confined space into which piping may discharge a hazardous substance, an employer shall ensure that the piping:

- (a) has a blank installed that is sized for the proper pressure in the piping before the piping enters the confined space;
- (b) is equipped with two blocking valves and a bleed-off valve installed between the blocking valves located so that any bleed off does not contaminate the confined space; or
- (c) is equipped with an approved safety device.

(2) Where piping is equipped with two blocking valves and a bleed-off valve pursuant to clause (1)(b) or an approved safety device pursuant to clause (1)(c), an employer shall ensure that:

- (a) the valves in the flow lines are locked out in the "closed" position and the bleed-off valve is locked out in the "open" position;
- (b) the valves are tagged to indicate that the valves must not be activated until the tags have been removed by a worker designated by the employer for that purpose; and
- (c) the worker designated pursuant to clause (b):
 - (i) monitors the valves to ensure that they are not activated while a worker is in the confined space; and
 - (ii) records on the tag mentioned in clause (b) the date and time of each monitoring and signs the tag each time the worker monitors the valves.

4 Oct 96 cO-1.1 Reg 1 s275.

PART XIX
Work in Compressed Air

Interpretation**276** In this Part:

- (a) **"air lock"** means a chamber designed for the passage of persons or materials from one place to a place with a different air pressure;
- (b) **"compressed air"** means air that is mechanically raised to a pressure higher than 15 kilopascals above atmospheric pressure;
- (c) **"medical lock"** means a chamber in which persons may be subjected to changes in air pressure for medical purposes;
- (d) **"working chamber"** means the part of a project under construction that is used for work in compressed air, but does not include an air lock or medical lock.

4 Oct 96 cO-1.1 Reg 1 s276.

Application of Part

277 This Part applies to work performed in compressed air, but does not apply to divers or persons working in diving bells.

4 Oct 96 cO-1.1 Reg 1 s277.

Before work in compressed air begins

278(1) At least 30 days before beginning work in compressed air, an employer or contractor shall:

- (a) give notice in writing to the division of the nature and location of the work; and
- (b) provide the division with copies of the certificates of a professional engineer who is competent in construction work carried out in compressed air and a physician who is competent in hyperbaric medicine.

(2) The certificates required by subsection (1) must:

- (a) certify that the design of the compressed air installation and its components, including any air lock, medical lock, bulkhead, door and working chamber, the air supply system, the control system and the emergency facilities, are suitable and adequate to provide a healthy and safe work environment; and
- (b) contain a statement of conditions and procedures that are necessary to ensure the health and safety of workers employed in the compressed air installation.

(3) An employer or contractor shall ensure that any work in a compressed air installation is performed in accordance with the conditions and procedures contained in the certificates required by subsection (1).

4 Oct 96 cO-1.1 Reg 1 s278.

Workers in working chamber

279(1) Where workers are employed in a working chamber, an employer or contractor shall ensure that:

- (a) emergency procedures, including decompression procedures, have been developed that are adequate to prevent worker ill health;
 - (b) the workers are fully trained in the emergency procedures required by clause (a);
 - (c) the workers are regularly monitored by a physician; and
 - (d) a competent supervisor is appointed and given the authority and resources necessary to protect the health and safety of workers in the working chamber.
- (2) A worker who is monitored by a physician pursuant to clause (1)(c) shall comply with any requirement that the physician considers necessary to prevent or treat ill health caused by working in compressed air.
- (3) An employer or contractor shall ensure that the emergency procedures required by clause (1)(a) are implemented in an emergency.

4 Oct 96 cO-1.1 Reg 1 s279.

Standards for air

280 An employer or contractor shall ensure that:

- (a) the air supplied by a compressor plant for use in a working chamber, air lock or medical lock meets the requirements of the Canadian Standards Association standard CAN3-Z180.1-M85 *Compressed Breathing Air and Systems*;
- (b) the air intake for a compressor plant that supplies air to a working chamber, an air lock or a medical lock is located so as to prevent the entry of exhaust gases from internal combustion engines, gasoline fumes or other contaminants; and
- (c) the air supplied to a working chamber, air lock or medical lock is kept, as far as is practicable, between 10° and 27° Celsius.

4 Oct 96 cO-1.1 Reg 1 s280.

Maximum air pressure

281 An employer or contractor shall ensure that the air pressure in a working chamber does not exceed 350 kilopascals for more than five minutes except when it is necessary for the safety of workers in an emergency.

4 Oct 96 cO-1.1 Reg 1 s281.

Working periods and rest periods**282(1)** In this section:

- (a) **"column"** means a column in Table 18 of the Appendix;
 - (b) **"rest period"** means a period during a worker's hours of work that immediately follows a working period and in which the worker is at normal atmospheric pressure, and may include time spent by the worker in an air lock after a working period;
 - (c) **"working day"** means a period of 24 consecutive hours;
 - (d) **"working period"** means a period in which a worker works in compressed air.
- (2) An employer or contractor shall ensure that:
- (a) a worker who works in compressed air is not required or permitted to work more than two working periods in one working day;
 - (b) the total number of hours in the two working periods of a worker's working day does not exceed the number of hours set out in column 2;
 - (c) a worker's first working period in a working day does not exceed the number of hours set out in column 3;
 - (d) after the first working period in a working day, a worker receives a rest period that is not less than the number of hours set out in column 4;
 - (e) a worker's second working period in a working day does not exceed the number of hours set out in column 5; and
 - (f) after the second working period in a working day, a worker receives a rest period that is not less than the number of hours set out in column 6.
- (3) An employer or contractor shall ensure that no worker is required or permitted to perform manual work, engage in physical exertion or leave the worksite during a rest period.

4 Oct 96 cO-1.1 Reg 1 s282.

PART XX
Diving Operations

Interpretation**283** In this Part:

- (a) **"air"** means respirable air;
- (b) **"atmospheric pressure"** means the atmospheric pressure at the surface of the water;
- (c) **"bail-out system"** means an independent breathing gas supply of sufficient quantity to return a diver to the surface, to a diving bell or to an emergency supply in the event of a malfunction of the primary breathing gas supply system;

- (d) **"bottom time"** means the total elapsed time, measured in minutes, from the time a descending diver leaves the surface of the water to the time the diver begins final ascent;
- (e) **"breathing gas"** means air or mixed gas;
- (f) **"buddy system"** means the system described in section 298;
- (g) **"class A hyperbaric chamber"** means a hyperbaric chamber that meets the requirements of Canadian Standards Association standard Z275.1-93 *Hyperbaric Facilities* for a class A hyperbaric chamber;
- (h) **"decompression limit"** means the point in the descent of a diver, based on the depth and duration of the dive and determined in accordance with a decompression table, beyond which the diver will require one or more decompression stops during ascent if the diver descends further;
- (i) **"decompression schedule"** means the procedure derived from a decompression table that a diver follows during ascent from a depth in order to minimize the risk of decompression sickness;
- (j) **"decompression sickness"** means a condition caused by the formation of gas bubbles in the blood or body tissue as a result of the reduction of pressure on the body;
- (k) **"decompression table"** means a table mentioned in section 285;
- (l) **"dive site"** means the location at the surface of the water at which a diver enters the water at the beginning of a dive and to which the diver intends to return on ascent;
- (m) **"diver"** means a competent worker or competent self-employed person who performs underwater work;
- (n) **"diver's tender"** means a worker who monitors the dive of a diver and who is competent in the diving apparatus being used for a dive, the diving operation in progress and the emergency diving procedures and signals to be used between diver and diver's tender;
- (o) **"diving supervisor"** means a competent person who has complete responsibility for a diving operation, including responsibility for the health and safety of all diving personnel;
- (p) **"dressed-in"** means fully equipped to dive and ready to enter the water, with all life support and communications equipment tested and at hand, but not necessarily with the helmet, face plate or face mask in place;
- (q) **"free swimming diving"** means diving while using scuba with the diver supervised but not tethered to the surface by a lifeline or float;
- (r) **"hyperbaric chamber"** means a pressure vessel and associated equipment that are designed for the purpose of subjecting persons to pressures greater than atmospheric pressures;

- (s) **"lifeline"** means a line of manila rope that is 19 millimetres in diameter and has a breaking strength of not less than 2454 kilograms, or material of equivalent or greater strength, secured at the surface to a substantial anchorage;
- (t) **"mixed gas"** means a respirable breathing mixture, other than air, that provides adequate oxygen to support life and does not cause excessive breathing resistance, impairment of neurological functions or other detrimental physiological effects;
- (u) **"scuba"** means a self-contained underwater breathing apparatus, and includes self-contained open-circuit compressed air breathing apparatus;
- (v) **"standby diver"** means a diver who is:
- (i) available at a dive site to give assistance to a submerged diver in the event of an emergency;
 - (ii) dressed-in; and
 - (iii) trained and equipped to operate at the depths and in the circumstances in which the submerged diver is operating;
- (w) **"surface supply diving"** means a mode of diving in which a diver is supplied from the dive site with a breathing gas by way of an umbilical;
- (x) **"therapeutic recompression"** means treatment of a diver for decompression sickness, usually in a hyperbaric chamber, in accordance with section 285;
- (y) **"umbilical"** means a life support hose bundle comprising a composite hose and cable, or separate hoses and cables, that:
- (i) extends from the surface to a diver or to a submersible chamber occupied by a diver; and
 - (ii) supplies breathing gas, power, heat and communication to the diver.

4 Oct 96 cO-1.1 Reg 1 s283.

Competent workers

284 An employer shall ensure that only competent workers are required or permitted to perform underwater diving operations.

4 Oct 96 cO-1.1 Reg 1 s284.

Standards

285 An employer shall ensure that all diving operations, repetitive dives and treatments of divers are carried out in strict accordance with decompression tables and procedures published or approved by the Defence and Civil Institute of Environmental Medicine (Canada) or another approved agency.

4 Oct 96 cO-1.1 Reg 1 s285.

Medical examination

286(1) A diver must have a comprehensive medical examination conducted by a physician at least once every 12 months in accordance with the criteria set forth in Appendices A and B of Canadian Standards Association standard CAN/CSA-Z275.2-92 *Occupational Safety Code for Diving Operations*.

(2) No diver shall dive unless the diver has been certified by the physician mentioned in subsection (1) to be free of any medical condition that would make unsafe the performance of the type of dive to be carried out.

(3) A diver shall:

(a) provide the employer with a copy of the certificate mentioned in subsection (2); and

(b) place the original certificate in the diver's personal log kept pursuant to section 297.

(4) An employer shall:

(a) ensure that no diver is required or permitted to dive unless the diver furnishes the employer with a copy of the certificate mentioned in subsection (2) that has been obtained within the preceding 12 months;

(b) retain the copy of the certificate mentioned in clause (a) while the diver is employed by the employer; and

(c) ensure that every diver employed by the employer is competent in the use of any diving apparatus that the diver will be required to use in a diving operation.

4 Oct 96 cO-1.1 Reg 1 s286.

Diving supervisor

287 An employer shall:

(a) ensure that a diving operation is conducted under the direction of a diving supervisor; and

(b) give to the diving supervisor all the information and resources necessary to protect the health and safety of every diver under the supervisor's direction.

4 Oct 96 cO-1.1 Reg 1 s287.

Minimum crew

288 An employer shall ensure that a sufficient number of workers are present for a diving operation to ensure that the operation can be undertaken safely.

4 Oct 96 cO-1.1 Reg 1 s288.

Standby diver

289(1) An employer shall ensure that a standby diver is present at all times when diving operations are in progress.

(2) An employer shall not require or permit a standby diver to dive except in the case of emergency.

4 Oct 96 cO-1.1 Reg 1 s289.

Diver's tender

290 An employer shall ensure that:

- (a) a diver's tender acceptable to the diver is provided for each diver in the water during a diving operation; and
- (b) the diver's tender devotes his or her whole time and attention to the work as a diver's tender.

4 Oct 96 cO-1.1 Reg 1 s290.

Breathing gas

291(1) Subject to subsection (2), where air is used as the breathing gas, an employer shall ensure that:

- (a) the air is clean and wholesome and supplied in adequate quantity; and
- (b) a reserve supply of 2.5 times the air required for the operation is supplied.

(2) An employer shall ensure that any air or mixed gas used as the breathing gas meets the approved standard for composition and purity requirements.

(3) Where a mixed gas is used as the breathing gas, an employer shall ensure that the decompression procedures, schedules and tables used are appropriate for the mixed gas.

4 Oct 96 cO-1.1 Reg 1 s291.

Diving equipment

292 An employer shall ensure that all diving equipment, including breathing apparatus, compressor, compressed gas cylinder, gas control valve, pressure gauge, reserve supply device, piping, helmet, winch, cable, diving bell or stage and every other accessory necessary for the safe conduct of the diving operation, is:

- (a) of an approved design, sound construction, adequate strength and free from obvious defect;
- (b) maintained in a condition that will ensure the equipment's continuing operating integrity and suitability for the equipment's use;
- (c) adequately protected against malfunction at low temperatures that may be caused by ambient air or water or by the expansion of gas; and
- (d) examined, tested, overhauled and repaired in accordance with the manufacturer's recommended procedure.

4 Oct 96 cO-1.1 Reg 1 s292.

Equipment for diving base

293 While diving is in progress, an employer shall ensure that the diving base is equipped with the following:

- (a) if scuba is being used, one complete spare set of underwater breathing apparatus with fully charged cylinders to be used for emergency purposes only;
- (b) an adequate quantity of oxygen for therapeutic purposes;
- (c) one shot-line of weighted 19 millimetre manila of sufficient length to reach the bottom at the maximum depth of water at the dive site;
- (d) a first aid kit that is appropriate for the number of workers and the worksite;
- (e) one complete set of decompression tables;
- (f) a suitable heated facility for the use of divers that is located on or as near as possible to the dive site;
- (g) any other equipment that may be necessary to protect the health and safety of a worker.

4 Oct 96 cO-1.1 Reg 1 s293.

Hyperbaric chamber

294 An employer shall ensure that a class A hyperbaric chamber in operable condition is on site where:

- (a) a dive is planned that may exceed the decompression limit; or
- (b) the depth of a dive is greater than 40 metres.

4 Oct 96 cO-1.1 Reg 1 s294.

Diving plan

295(1) A diving supervisor shall submit a general diving plan in writing to the employer before beginning a diving operation.

(2) A diving supervisor shall:

- (a) plan the dive to ensure the health and safety of the diver;
- (b) instruct the surface crew on the procedures necessary to ensure the health and safety of the diver;
- (c) ensure that all necessary equipment is available and is in good operating condition;
- (d) ensure that the quantity of breathing gas supplied to a diver is sufficient for the dive that is planned;
- (e) develop and implement a contingency plan for any emergency situation that may endanger the diver;

- (f) keep a log showing each diver's activities on each day and make entries respecting each dive on the day on which the dive is performed;
 - (g) remain in the immediate area of the dive site at all times while a diving operation is in progress;
 - (h) ensure that each diver enters in the diver's personal log the information required by clause 297(2)(a) for each dive performed by the diver; and
 - (i) verify the accuracy of the information recorded in each diver's personal log pursuant to clause 297(2)(a) and sign the entry to acknowledge the supervisor's verification.
- (3) Nothing in this section limits the responsibilities of an employer pursuant to this Part.

4 Oct 96 cO-1.1 Reg 1 s295.

General responsibilities of diver

296 A diver shall:

- (a) proceed in accordance with the general diving plan and the instructions of the diving supervisor;
- (b) inspect the diver's equipment immediately before each dive; and
- (c) begin each dive by submerging and checking all equipment to ensure that there are no leaks and that the equipment is functioning properly.

4 Oct 96 cO-1.1 Reg 1 s296.

Diver's personal log

297(1) A diver shall keep a personal log and retain the log for a five-year period after the log's completion.

(2) A diver shall record in the personal log in chronological order:

- (a) an entry for each dive that the diver has made, verified and signed by the diving supervisor, including the following information:
 - (i) the type of breathing apparatus used;
 - (ii) the breathing gas used;
 - (iii) the time at which the diver left the surface;
 - (iv) the bottom time;
 - (v) the maximum depth reached;
 - (vi) the time at which the diver left the bottom;
 - (vii) the time at which the diver reached the surface;
 - (viii) the surface interval, if more than one dive is undertaken in a day;
 - (ix) the decompression table and schedule used;

- (x) the date of the dive;
 - (xi) any observations relevant to the health or safety of the diver arising from the dive;
 - (xii) the name of the employer; and
- (b) an entry, signed by the attending physician or diving supervisor, respecting any therapeutic recompression or other exposure to a hyperbaric environment.

4 Oct 96 cO-1.1 Reg 1 s297.

Buddy system

298(1) The buddy system of diving involves the use of two divers, each of whom is responsible for the other diver's safety.

(2) A diver who is diving using the buddy system:

- (a) shall maintain constant visual contact with the other buddy diver during the dive;
- (b) shall know the hand signals being used and acknowledge each signal as given;
- (c) shall not leave the other buddy diver except in the case of emergency requiring the assistance of one of the buddy divers; and
- (d) shall abort the dive immediately if the buddy divers become separated from each other or the other buddy diver aborts the dive.

4 Oct 96 cO-1.1 Reg 1 s298.

Free swimming diving

299(1) An employer shall ensure that free swimming diving is performed only where a dive cannot safely be accomplished in the tethered mode.

(2) An employer shall not require or permit a diver to perform free swimming diving unless:

- (a) the diver is accompanied by a tethered in-water standby diver or the buddy system is used; and
- (b) the employer has first ensured that conditions are such that the free swimming dive can be undertaken safely.

4 Oct 96 cO-1.1 Reg 1 s299.

Scuba diving

300(1) An employer shall ensure that, during scuba diving operations, a diver uses:

- (a) open-circuit scuba equipped with a demand regulator and a tank with quick-release harness;
 - (b) a reserve device or bail-out system;
 - (c) a lifeline, except where the buddy system is used; and
 - (d) an exposure suit or protective clothing that is appropriate for the condition of work and the temperature of the water.
- (2) An employer shall ensure that no diver using scuba equipment:
- (a) dives to a depth exceeding 40 metres; or
 - (b) dives without a lifeline under ice or where potentially hazardous conditions exist, including water currents, low visibility and adverse weather conditions.

4 Oct 96 cO-1.1 Reg 1 s300.

Surface-supply diving

301 Where a diver is required or permitted to perform surface-supply diving, an employer shall ensure that:

- (a) the umbilical incorporates a lifeline to prevent stress on the hose;
- (b) the connections between the airline and the equipment supplying the breathing gas to the diver are secured and properly guarded to prevent accidental disconnection or damage;
- (c) the airline is equipped with the following, in sequence from the surface connection:
 - (i) a regulating valve that is clearly marked as to which diver's air supply the valve controls;
 - (ii) a pressure gauge that is accessible and clearly visible to the diver's tender; and
 - (iii) a non-return valve at the point of attachment of the airline to the diving helmet or mask;
- (d) the diver carries a bail-out system; and
- (e) the diver is equipped with a lifeline and an effective means of two-way communication between the diver and the diver's tender.

4 Oct 96 cO-1.1 Reg 1 s301.

PART XXI
Chemical and Biological Substances

General duties of employers

302(1) An employer shall, at a place of employment:

- (a) monitor the use or presence of, or a worker's exposure to, any chemical substance or any biological substance that may be hazardous or harmful to the health or safety of a worker;
 - (b) where reasonably practicable, substitute a less hazardous or harmful chemical substance or biological substance for a hazardous or harmful chemical substance or biological substance;
 - (c) subject to subsection 307(1), to the extent that is reasonably practicable, reduce any contamination of the place of employment by a chemical substance or biological substance; and
 - (d) develop and implement work procedures and processes that are as safe as is reasonably practicable for the handling, use, storage, production and disposal of chemical substances and biological substances.
- (2) An employer shall take all practicable steps to prevent exposure of a worker, to an extent that is likely to be harmful to the worker, to:
- (a) a chemical substance or biological substance that may be hazardous; or
 - (b) a chemical substance or biological substance in combination or association with any other substance present that may be hazardous.
- (3) An employer shall:
- (a) inform the workers of the nature and degree of the effects to their health or safety of any chemical substance or biological substance to which the workers are exposed in the course of their work; and
 - (b) provide the workers with adequate training with respect to:
 - (i) work procedures and processes developed pursuant to clause (1)(d); and
 - (ii) the proper use of any personal protective equipment required by these regulations.
- (4) An employer shall make available to the committee, the representative or, where there is no committee or representative, the workers:
- (a) the results of any measurements of worker exposure to, and contamination of a place of employment by, a chemical substance or biological substance; and
 - (b) any steps taken to reduce the contamination of a place of employment by, and eliminate or reduce exposure of the workers to, a chemical substance or biological substance.

List of chemical and biological substances

303(1) An employer shall, in consultation with the committee, the representative or, where there is no committee or representative, the workers:

- (a) develop and maintain a list of:
 - (i) all chemical substances and biological substances that are regularly handled, used, stored, produced or disposed of in the course of work processes and that may be hazardous to the health and safety of the workers at the place of employment; and
 - (ii) any other chemical substances or biological substances that may be present at the place of employment and are of concern to the workers; and
 - (b) identify on the list all chemical substances and biological substances that are controlled products.
- (2) An employer shall:
- (a) amend the list mentioned in subsection (1) whenever a chemical substance or biological substance is added to or removed from the place of employment;
 - (b) submit a copy of each amendment to the committee or the representative; and
 - (c) keep a copy of the list at the place of employment and make the list readily available to the workers.

4 Oct 96 cO-1.1 Reg 1 s303.

Precautions for certain substances

304(1) Where a chemical substance or biological substance listed pursuant to subsection 303(1) is not a controlled product or is a controlled product that is exempted from the application of Part XXII, an employer shall take all reasonable steps to:

- (a) ascertain and record the hazards that may arise from the handling, use, storage, production or disposal of the substance at the place of employment;
 - (b) ascertain and record the precautions that need to be taken with respect to the substance to ensure the health and safety of workers; and
 - (c) clearly mark the container holding the substance with the name of the substance as set out in the list.
- (2) An employer, in consultation with the committee, shall develop a program to instruct workers about the hazards of the substances to which subsection (1) applies and train workers in the precautions to be taken with respect to those substances.
- (3) An employer shall implement a program developed pursuant to subsection (2).

4 Oct 96 cO-1.1 Reg 1 s304.

Substances listed in Table 19

305(1) An employer shall send to the director a written notice of any handling, use, storage, production, distribution or disposal, or any intended handling, use, storage, production, distribution or disposal of any chemical substance or biological substance listed in Table 19 of the Appendix.

(2) No employer shall handle, use, store, produce, distribute or dispose of a chemical substance or biological substance listed in Table 19 of the Appendix without:

- (a) obtaining the written permission of the director; and
- (b) complying with any conditions that the director may specify.

4 Oct 96 cO-1.1 Reg 1 s305.

Substances listed in Table 20

306 Where workers are required to handle, use, store, produce or dispose of any chemical substance listed in Table 20 of the Appendix, an employer shall:

- (a) provide adequate engineering controls to prevent, to the extent that is reasonably practicable, the release of the substance into the place of employment; and
- (b) take other measures and provide personal protective equipment that meets the requirements of Part VII to prevent, to the extent that is practicable, any significant risk to workers from the substance.

4 Oct 96 cO-1.1 Reg 1 s306.

Substances listed in Table 21

307(1) Subject to sections 306 and 308, where a chemical substance or biological substance listed in Table 21 of the Appendix is present at a place of employment, an employer shall:

- (a) provide adequate engineering controls, to the extent that it is reasonably practicable to do so, to ensure that the contamination limit set out in Table 21 is not exceeded in any area where a worker is usually present; and
- (b) take all practicable steps to ensure that no worker's personal exposure exceeds the contamination limit set out in Table 21.

(2) An employer, in consultation with the committee, shall develop a written procedure that meets the requirements of subsection (3) where a chemical substance or biological substance listed in Table 21 of the Appendix is present at a place of employment in an airborne concentration that may be hazardous to a worker, and a worker:

- (a) is regularly required or permitted to work more than eight hours in a day or 40 hours in a week; or
- (b) may be exposed to a combination or association of substances listed in Table 21 of the Appendix that have similar toxicological effects when acting on the same organ or body system.

- (3) A written procedure required by subsection (2) must identify:
- (a) the substances to which a worker may be exposed;
 - (b) the conditions under which a worker will be required or permitted to work, including the frequency, quantity and duration of exposure to the substances; and
 - (c) the steps that the employer will take to ensure, to the extent that is practicable, that no worker's personal exposure exceeds the equivalent of the contamination limit set out in Table 21 of the Appendix.
- (4) An employer shall implement a procedure developed pursuant to subsection (2).

4 Oct 96 cO-1.1 Reg 1 s307; 10 Aug 2007 SR 67/
2007 s24.

Protection of certain workers

308 Where a chemical substance or biological substance is present at a place of employment in a form and to an extent that may be harmful to a worker who is pregnant, has become sensitized to the substance or is unusually responsive to the substance, an employer shall, as soon as is reasonably possible after the worker has notified the employer of the worker's condition:

- (a) where reasonably practicable, take steps to minimize the exposure of the worker to the substance; or
- (b) on the worker's request, assign the worker to less hazardous alternate work if that work is available.

4 Oct 96 cO-1.1 Reg 1 s308.

Respiratory protective devices

309 Where it is not reasonably practicable to reduce a worker's personal exposure to a chemical substance or biological substance to the contamination limit set out in Table 21 of the Appendix, an employer shall provide an approved respiratory protective device that meets the requirements of Part VII and require the worker to use it.

4 Oct 96 cO-1.1 Reg 1 s309.

Accumulations, spills and leaks

310 Where there is a possibility of an accumulation, spill or leak of a chemical substance or biological substance that may be hazardous to the health or safety of a worker at a place of employment, an employer:

- (a) in consultation with the committee, shall develop written emergency procedures to be implemented in the event of an accumulation, spill or leak;
- (b) shall make readily available for reference by workers a copy of the emergency procedures developed pursuant to clause (a);

(c) shall ensure that each worker is trained in and implements any of the emergency procedures developed pursuant to clause (a) that:

- (i) require the involvement of the worker; or
- (ii) are necessary to protect the health or safety of the worker;

(d) shall ensure that competent persons, equipment, supplies and personal protective equipment are available for the prompt, safe and effective containment, neutralizing and decontamination of any accumulation, spill or leak; and

(e) shall ensure that the emergency procedures developed pursuant to clause (a) are implemented in the event of an accumulation, spill or leak.

4 Oct 96 cO-1.1 Reg 1 s310.

Report of worker's exposure

311(1) Where an accumulation, spill or leak of a chemical substance or biological substance listed in Table 19 or 20 of the Appendix occurs and results in the exposure of a worker to the chemical substance or biological substance to an extent that may affect the health or safety of the worker, an employer, in consultation with the committee, shall investigate the incident as soon as is reasonably possible and prepare a written report that includes:

- (a) a description of the incident, including the date and all affected worksites;
 - (b) the names of the substances released and the characteristics of the substances;
 - (c) for each substance released, the estimated duration and the extent of each worker's exposure;
 - (d) the name of each worker exposed and the manner in which the substance entered the worker's body;
 - (e) the causes of the incident; and
 - (f) any corrective actions taken to prevent occurrence of a similar incident.
- (2) An employer shall provide a copy of a report prepared pursuant to subsection (1) to any worker who was exposed to the chemical substance or biological substance that was released.

4 Oct 96 cO-1.1 Reg 1 s311.

Emergency showers

312 Where there may be a risk of substantial contamination of a worker or of a worker's clothing from corrosive or other harmful substances, an employer or contractor shall provide and maintain an approved and readily accessible means of bathing or showering the worker in lukewarm water.

4 Oct 96 cO-1.1 Reg 1 s312.

Eye flushing equipment

313 Where there may be a risk to the eyes of a worker from corrosive or other harmful substances, an employer or contractor shall provide, at readily accessible locations, approved equipment to flush the eyes of the worker with lukewarm water or another appropriate liquid.

4 Oct 96 cO-1.1 Reg 1 s313.

Flammable, unstable, highly reactive and corrosive substances

314(1) Where the storage at a place of employment of a chemical substance that is flammable, oxidizing, corrosive or dangerously reactive may put at risk the health or safety of a worker, an employer, contractor or owner shall ensure that:

- (a) the substance is stored:
 - (i) in a self-contained enclosure, room or building that is isolated from work-related areas and worksites and is adequately ventilated; and
 - (ii) protected from conditions, including excessive temperature, shock or vibration, that could reduce the stability or increase the potential hazard of the substance;
- (b) subject to sections 319 to 324, a durable, legible sign setting out the harmful characteristics of the substance and the precautions to be taken for storage is posted at each entrance to the enclosure, room or building in which the substance is stored; and
- (c) the container in which the substance is kept:
 - (i) subject to sections 319 to 324, is clearly labelled with the name, harmful characteristics and precautions to be taken for the safe storage of the substance or substances;
 - (ii) subject to section 365, is designed, constructed and maintained to contain the substance securely and to be resistant to the substance and any other substances to which the container may be exposed;
 - (iii) is sealed or covered; and
 - (iv) is stored in a manner to protect the container from falls or damage.

(2) Where two or more chemical substances, when combined, produce a toxic, corrosive or explosive reaction, an employer, contractor or owner shall ensure that the substances are effectively separated and stored to prevent the substances from combining.

4 Oct 96 cO-1.1 Reg 1 s314.

PART XXII
Controlled Products — Workplace Hazardous
Materials Information System

Interpretation

315 In this Part:

- (a) **"bulk shipment"** means a shipment of a controlled product that is contained without intermediate packaging in:
 - (i) a container with a water capacity of more than 454 litres;
 - (ii) a freight container, road vehicle, railway vehicle or portable tank, a freight container on a road vehicle, railway vehicle, ship or aircraft or a portable tank carried on a road vehicle, railway vehicle, ship or aircraft;
 - (iii) the hold of a ship; or
 - (iv) a pipeline;
- (b) **"container"** includes a bag, barrel, bottle, box, can, cylinder, drum, storage tank or similar package or receptacle;
- (c) **"Controlled Products Regulations"** means the *Controlled Products Regulations* (Canada), SOR/88-66;
- (d) **"fugitive emission"** means a gas, liquid, solid, vapour, fume or dust that escapes from any process or emission control equipment or from a product;
- (e) **"hazard information"** means information on the proper and safe use, storage and handling of a controlled product, and includes information relating to the product's toxicological properties;
- (f) **"hazardous waste"** means a controlled product that is intended for disposal or is sold for recycling or recovery;
- (g) **"laboratory sample"** means a sample of a controlled product that is intended solely to be tested in a laboratory but does not include a controlled product that is to be used:
 - (i) by the laboratory for testing other products, materials or substances; or
 - (ii) for educational or demonstration purposes;
- (h) **"manufactured article"** means an article that is formed to a specific shape or design during manufacture, the intended use of which when in that form is dependent, in whole or in part, on its shape or design and that, under normal conditions of use, will not release or otherwise cause a person to be exposed to a controlled product;

- (i) **"product identifier"** means, with respect to a controlled product, the brand name, code name or code number specified by a supplier or the chemical name, common name, generic name or trade name;
- (j) **"readily available"** means present in an appropriate place in the form of a paper copy that can be handled by a worker;
- (k) **"risk phrase"** means, with respect to a controlled product or a class, division or sub-division of controlled products, a statement identifying a hazard that may arise from the nature of the controlled product or the class, division or sub-division of controlled products;
- (l) **"supplier"** means a supplier as defined in the *Hazardous Products Act* (Canada);
- (m) **"supplier identifier"** means, with respect to a controlled product, the name of the supplier of the controlled product;
- (n) **"supplier label"** means a label provided by a supplier that discloses the information and displays the hazard symbols mentioned in paragraph 13(b) of the *Hazardous Products Act* (Canada);
- (o) **"supplier material safety data sheet"** means a material safety data sheet provided by a supplier that discloses the information mentioned in subparagraphs 13(a)(i) to (v) of the *Hazardous Products Act* (Canada);
- (p) **"workplace label"** means a legible label that discloses:
 - (i) a product identifier that is identical to that found on the material safety data sheet of the corresponding controlled product;
 - (ii) all necessary information for the safe handling of the controlled product; and
 - (iii) the fact that a material safety data sheet, if supplied or produced, is available.

4 Oct 96 cO-1.1 Reg 1 s315.

Certain products exempted

316(1) The provisions of this Part with respect to a supplier label and a material safety data sheet do not apply to a controlled product that is:

- (a) an explosive within the meaning of the *Explosives Act* (Canada);
- (b) a cosmetic, device, drug or food within the meaning of the *Food and Drug Act* (Canada);
- (c) a control product within the meaning of the *Pest Control Products Act* (Canada);
- (d) a prescribed substance within the meaning of the *Atomic Energy Control Act* (Canada); or
- (e) a product, material or substance that is packaged as a consumer product in a quantity normally used by the public.

- (2) This Part does not apply to a controlled product that:
- (a) is a wood or a product made of wood;
 - (b) is a tobacco or a product made of tobacco;
 - (c) is a manufactured article; or
 - (d) is being transported or handled pursuant to *The Dangerous Goods Transportation Act* and the *Transportation of Dangerous Goods Act* (Canada).
- (3) Subject to subsection (4), this Part does not apply to hazardous waste.
- (4) An employer shall ensure the safe storage and handling of hazardous waste generated at a place of employment through a combination of identification of the hazardous waste and worker training.
- (5) The worker training mentioned in subsection (4) must include all hazard information of which the employer is aware, or ought to be aware, concerning the hazardous waste.

4 Oct 96 cO-1.1 Reg 1 s316.

Restriction on use of controlled products

- 317(1) Subject to subsection (2), an employer shall ensure that a controlled product is not used, stored or handled in a place of employment unless all the applicable requirements of this Part with respect to labels, identifiers, material safety data sheets and worker training are complied with.
- (2) An employer may store a controlled product in a place of employment while actively seeking information required pursuant to this Part.

4 Oct 96 cO-1.1 Reg 1 s318.

Worker training

- 318(1) An employer shall ensure that a worker who works with, or in proximity to, a controlled product is informed about:
- (a) all hazard information received by the employer from a supplier concerning that controlled product; and
 - (b) any further hazard information of which the employer is aware, or ought to be aware, concerning the use, storage and handling of that controlled product.
- (2) Where a controlled product is produced in a place of employment, an employer shall ensure that a worker who works with, or in proximity to, that controlled product is informed about all hazard information of which the employer is aware, or ought to be aware, concerning the use, storage and handling of that controlled product.

(3) An employer shall ensure that a worker who works with, or in proximity to, a controlled product is trained in:

- (a) the content required on a supplier label and workplace label for the controlled product and the purpose and significance of the information contained on those labels;
- (b) the content required on a material safety data sheet for the controlled product and the purpose and significance of the information contained on the material safety data sheet;
- (c) all necessary procedures for the safe use, storage, handling and disposal of the controlled product;
- (d) all necessary procedures to be followed where fugitive emissions are present; and
- (e) all necessary procedures to be followed in case of an emergency involving a controlled product.

(4) An employer shall ensure that the training required by subsection (3) is developed:

- (a) for that employer's place of employment; and
- (b) in consultation with the committee, if there is a committee.

(5) An employer shall ensure that:

- (a) the training required by subsection (3) results in a worker being able to apply the information as needed to protect the health and safety of that worker or any other worker; and
- (b) the necessary procedures mentioned in clauses (3)(c) to (e) are implemented.

(6) An employer, in consultation with the committee, the representative or, where there is no committee or representative, the workers, shall review the training provided to workers concerning controlled products at least annually, or more frequently if there is a change in work conditions or available hazard information.

4 Oct 96 cO-1.1 Reg 1 s318.

Supplier label

319(1) An employer shall ensure that a controlled product or the container of a controlled product that is received from a supplier at a place of employment is labelled with a supplier label.

(2) Subject to section 42 of the Act, no employer shall remove, deface, modify or alter the supplier label on the container of a controlled product as long as any amount of the controlled product remains at the place of employment in the container in which it was received from the supplier.

(3) Where a label applied to a controlled product or a container of a controlled product becomes illegible or is accidentally removed from the controlled product or container, an employer shall replace the label with either a supplier label or a workplace label.

(4) Where an employer receives a controlled product in a multi-container shipment in which the individual containers have not been labelled by the supplier, the employer shall affix to each container a label that meets the requirements of the *Controlled Products Regulations*.

(5) Where a controlled product imported pursuant to section 23 of the *Controlled Products Regulations* is received at a place of employment without a supplier label, an employer shall affix a label that meets the requirements of the *Controlled Products Regulations*.

(6) An employer who receives a controlled product transported as a bulk shipment shall affix to the container of the controlled product or to the controlled product at the place of employment:

(a) a supplier label; or

(b) where, pursuant to section 15 of the *Controlled Products Regulations*, the supplier is not required to label a controlled product transported as a bulk shipment, a workplace label.

4 Oct 96 cO-1.1 Reg 1 s319.

Workplace label for employer-produced products

320(1) Subject to subsections (2) and (3), where a controlled product is produced at a place of employment, an employer shall ensure that a workplace label is applied to the controlled product or the container of the controlled product.

(2) Subsection (1) does not apply to the production of fugitive emissions.

(3) Subsection (1) does not apply to a controlled product in a container that:

(a) is intended to contain the controlled product for sale or disposition; and

(b) is or is about to be appropriately labelled within the normal course of business and without undue delay.

4 Oct 96 cO-1.1 Reg 1 s320.

Workplace label for decanted products

321(1) Subject to subsection (2), where a controlled product at a place of employment is in a container other than the container in which the controlled product was received from a supplier, an employer shall ensure that a workplace label is applied to the container.

(2) Subsection (1) does not apply to a portable container that is filled directly from a container that has a supplier label or workplace label applied to it if all of the controlled product in the portable container is required for immediate use or:

- (a) the controlled product is:
 - (i) under the control of, and used exclusively by, the worker who filled the portable container; and
 - (ii) used only during the shift in which the portable container was filled; and
- (b) the content of the container is clearly identified.

4 Oct 96 cO-1.1 Reg 1 s321.

Identification of controlled products in piping systems and vessels

322 Notwithstanding sections 319 to 321, an employer shall ensure the safe use, storage and handling of a controlled product in a place of employment through worker training and the use of colour coding, labels, placards or any other mode of identification where the controlled product is contained or transferred in or on:

- (a) a pipe;
- (b) a piping system, including valves;
- (c) a process vessel;
- (d) a reaction vessel; or
- (e) a tank car, tank truck, ore car, conveyor belt or similar conveyance.

4 Oct 96 cO-1.1 Reg 1 s322.

Placard identifiers

323(1) Notwithstanding sections 319 to 321, an employer shall post a placard in accordance with subsection (2) where a controlled product:

- (a) is not in a container;
- (b) is in a container or form intended for export; or
- (c) is in a container that is intended to contain the controlled product for sale or disposition, and the container is not yet labelled but is to be labelled pursuant to section 320.

- (2) A placard required by subsection (1):
 - (a) must disclose the information required for a workplace label; and
 - (b) must be of an appropriate size and must be placed in an appropriate location to make the information on it conspicuous and clearly legible to workers.
- (3) An employer who complies with subsections (1) and (2) is deemed to have complied with sections 319 to 321.

4 Oct 96 cO-1.1 Reg 1 s323.

Laboratory and sample labels

324(1) Where a quantity of less than 10 kilograms of a controlled product packaged in a container originates from a laboratory supply house and is intended by the employer solely for use in a laboratory, a label supplied by the supplier and affixed to the container is deemed to be a supplier label for the purposes of section 319 if the label discloses:

- (a) a product identifier;
 - (b) where applicable, the fact that a material safety data sheet is available; and
 - (c) all necessary risk phrases, precautionary measures and first aid measures that apply to the product.
- (2) Where a sample of a product described in subsection (3) that is a controlled product or a product that a supplier or an employer has reason to believe may be a controlled product, a label provided by the supplier and affixed to the container received at the place of employment is deemed to be a supplier label for the purposes of section 319 if it meets the requirements of subsection (4).
- (3) Subsection (2) applies to a product that:
- (a) is contained in a container that contains less than 10 kilograms of the product;
 - (b) is intended by the supplier or the employer solely for analysis, testing or evaluation in a laboratory; and
 - (c) is one with respect to which the supplier is exempted pursuant to section 9 of the *Controlled Products Regulations* from the requirement to provide a material safety data sheet.
- (4) A label mentioned in subsection (2) must:
- (a) disclose the product identifier;
 - (b) disclose the chemical identity or generic chemical identity of any ingredient of the controlled product mentioned in any of subparagraphs 13(a)(i) to (v) of the *Hazardous Products Act* (Canada), if known to the supplier or the employer;
 - (c) disclose the supplier identifier;

- (d) contain the statement "Hazardous Laboratory Sample – For hazard information or in an emergency call [*insert telephone number mentioned in clause (e)*]"; and
 - (e) contain an emergency telephone number of the supplier that will enable:
 - (i) a user of the controlled product to obtain hazard information with respect to the controlled product; and
 - (ii) a physician or nurse to obtain, for the purpose of making a medical diagnosis of or rendering treatment to a person in an emergency, any information with respect to the controlled product that is mentioned in paragraph 13(a) of the *Hazardous Products Act* (Canada) and is in the possession of the supplier.
- (5) An employer is exempt from section 321 if the employer complies with subsection (6) with respect to a controlled product mentioned in subsection (1) or (2) that:
- (a) is manufactured by the employer; or
 - (b) in the case of a controlled product received from a supplier, is in a container other than the container in which it was received.
- (6) For the purposes of subsection (5), an employer shall:
- (a) identify the controlled product through a combination of:
 - (i) any mode of identification that is visible to workers at the place of employment; and
 - (ii) worker training; and
 - (b) ensure that the mode of identification and worker training used enables the workers to readily identify and obtain either:
 - (i) the information required on a material safety data sheet or label; or
 - (ii) a document disclosing the information mentioned in clauses (4)(a) to (e) with respect to the controlled product or the sample.
- (7) Where a controlled product is produced in a laboratory, an employer is exempt from section 321 if:
- (a) the controlled product is intended by the employer solely for evaluation, analysis or testing for research and development as defined in the *Controlled Products Regulations*;
 - (b) the controlled product is not removed from the laboratory;
 - (c) the controlled product is clearly identified through a combination of:
 - (i) any mode of identification that is visible to workers at the place of employment; and
 - (ii) worker training; and

(d) the employer ensures that the mode of identification and worker training used enables workers to readily identify the controlled product and obtain:

- (i) the information required on a material safety data sheet, if one has been produced; or
- (ii) any other information that is necessary for the safe use, storage and handling of the controlled product.

4 Oct 96 cO-1.1 Reg 1 s324.

Supplier material safety data sheets

325(1) An employer who acquires a controlled product for use at a place of employment shall obtain a supplier material safety data sheet with respect to that controlled product.

(2) Where a supplier material safety data sheet obtained pursuant to subsection (1) is more than three years old, an employer shall, if possible, obtain from the supplier an up-to-date supplier material safety data sheet with respect to that controlled product.

(3) Where an employer is unable to obtain an up-to-date supplier material safety data sheet pursuant to subsection (2), the employer shall add to the existing supplier material safety data sheet any new hazard information applicable to the controlled product on the basis of the ingredients disclosed in the existing supplier material safety data sheet.

(4) An employer may provide a material safety data sheet that is in a format different from the format provided by the supplier or that contains additional hazard information if:

- (a) subject to section 328, the material safety data sheet provided by the employer contains no less information than the supplier material safety data sheet, or any lesser information that is acceptable to the committee, the representative or, where there is no committee or representative, the workers; and
- (b) the supplier material safety data sheet is available at the place of employment and the employer's material safety data sheet indicates that fact.

(5) Where a supplier is exempted by section 9 or 10 of the *Controlled Products Regulations* from the requirement to provide a material safety data sheet for a controlled product, an employer is exempt from subsection (1).

4 Oct 96 cO-1.1 Reg 1 s325.

Employer material safety data sheets

326(1) Subject to section 328, where an employer produces a controlled product in a place of employment, the employer shall prepare a material safety data sheet with respect to the product that discloses the information required pursuant to the *Controlled Product Regulations*.

(2) For purposes of subsection (1), “**produces**” does not include the production of a fugitive emission or of intermediate products undergoing reaction within a reaction or process vessel.

(3) An employer shall update the material safety data sheet mentioned in subsection (1):

(a) where new hazard information becomes available to the employer, as soon as is practicable but not later than 90 days after the new information becomes available; and

(b) at least every three years.

4 Oct 96 cO-1.1 Reg 1 s326.

Availability of material safety data sheets

327(1) Subject to subsection (4), an employer shall ensure that a copy of a material safety data sheet required by section 325 or 326 is made readily available:

(a) at a worksite to any worker who may be exposed to the controlled product; and

(b) to the committee or the representative.

(2) Where a controlled product is received at a laboratory and the supplier has provided a material safety data sheet, an employer shall ensure that a copy of the material safety data sheet is readily available to any worker in the laboratory.

(3) Where a controlled product is received or produced at a laboratory and the employer has produced a material safety data sheet, the employer shall ensure that the material safety data sheet is readily available to any worker in the laboratory.

(4) A material safety data sheet may be made available on a computer terminal at a worksite if the employer:

(a) takes all reasonable steps to keep the terminal in active working order;

(b) makes the material safety data sheet readily available on the request of a worker; and

(c) provides training in accessing computer-stored material safety data sheets:

(i) to workers working at a worksite where the material safety data sheet is available on the terminal; and

(ii) to members of the committee or to the representative.

4 Oct 96 cO-1.1 Reg 1 s327.

Omissions from material data safety sheet

328 Pending the final determination of an employer's claim for an exemption pursuant to section 42 of the Act, the employer may, subject to any terms and conditions pursuant to that section, omit from a material safety data sheet required by section 325 or 326 the information that is the subject of the claim, but shall not omit any hazard information.

4 Oct 96 cO-1.1 Reg 1 s328.

Disclosure re claim for exemption, exemption granted

329(1) An employer who claims an exemption from a requirement to disclose information pursuant to section 42 of the Act shall disclose the following on the required material safety data sheet or label:

- (a) the date on which the claim for exemption was filed; and
- (b) the registry number assigned to the claim pursuant to the *Hazardous Materials Information Review Act* (Canada).

(2) Where an employer receives notice of a decision that a claim or portion of a claim mentioned in subsection (1) is valid:

- (a) subsection (1) continues to apply:
 - (i) if there is no appeal, for a period of 30 days after the expiry of the appeal period; or
 - (ii) if there is an appeal:
 - (A) for a period of 30 days after the determination of the appeal; and
 - (B) if there is a further appeal, until the final determination of that further appeal; and

(b) the employer shall, before the end of the period described in subclause (a)(i) or (ii) and throughout the period ending on the last day of the exemption period stated in the decision, disclose on the required material safety data sheet or label:

- (i) a statement that an exemption has been granted;
- (ii) the date of the decision granting the exemption; and
- (iii) the registry number assigned to the claim pursuant to the *Hazardous Materials Information Review Act* (Canada).

4 Oct 96 cO-1.1 Reg 1 s329.

PART XXIII
Asbestos

Interpretation

330 In this Part:

- (a) "**asbestos**" means the fibrous form of crocidolite, amosite, chrysotile, anthophyllite, actinolite, tremolite or a mixture containing any of those minerals;
- (b) "**asbestos dust**" means dust that consists of or contains asbestos fibres that are likely to become airborne;

(c) **"asbestos process"** means any activity that may release asbestos dust, and includes:

- (i) the sawing, cutting or sanding of asbestos-containing materials;
- (ii) the repair, maintenance, replacement or removal of asbestos surfaces;
- (iii) the cleaning or disposal of asbestos materials;
- (iv) the mixing or application of asbestos shorts, cements, grouts, putties or similar compounds;
- (v) the storing or conveyance of materials containing asbestos; and
- (vi) the demolition of structures containing asbestos;

(d) **"asbestos surface"** means the surface of an object that contains asbestos;

(e) **"friable"** means material that, when dry, is or can be crumbled, pulverized or powdered by hand pressure.

4 Oct 96 cO-1.1 Reg 1 s330.

Application of Part

331 This Part applies to any place of employment or worksite where asbestos dust is likely to be released into the atmosphere and workers may be present.

4 Oct 96 cO-1.1 Reg 1 s331.

Prohibition re crocidolite

332 No employer, contractor, owner, worker or self-employed person shall install crocidolite or any mixture containing crocidolite.

4 Oct 96 cO-1.1 Reg 1 s332.

Prohibition re spraying

333 No employer, contractor, owner, worker or self-employed person shall spray asbestos-containing materials.

4 Oct 96 cO-1.1 Reg 1 s333.

Identification of asbestos-containing materials

334(1) Subject to subsection (3), on or before the dates set out in clauses (a) to (c), an employer, contractor or owner shall identify and keep a written record of the materials set out in those clauses that the employer, contractor or owner knows or may reasonably be expected to know are present in a place of employment and which workers may come into contact with:

- (a) all friable, exposed asbestos-containing materials, on or before July 1, 1997;
- (b) all friable, non-exposed accessible asbestos-containing materials, on or before July 1, 1998; and
- (c) all asbestos-containing pipe, boiler and duct insulating materials, on or before July 1, 1998.

(2) Any material likely to contain asbestos is deemed to be asbestos-containing material for the purposes of this Part until the material is determined to be asbestos-free.

(3) An employer, contractor or owner shall immediately identify the presence in a place of employment of all material that is likely to contain asbestos, is damaged or in poor repair and is likely to release asbestos dust into the atmosphere at the place of employment.

(4) An employer, contractor or owner shall ensure that the identification of asbestos-containing materials pursuant to subsection (1) or the determination of asbestos-free materials pursuant to subsection (2) is performed only by a competent person.

(5) An employer, contractor or owner shall make a copy of the records mentioned in subsections (1), (3) and (5) available for reference by the committee or representative and the workers.

4 Oct 96 cO-1.1 Reg 1 s334.

Labelling, placarding, etc.

335(1) Where workers have access to asbestos-containing materials identified pursuant to subsection 334(1), an employer, contractor or owner shall ensure that:

(a) the asbestos-containing materials are clearly and conspicuously labelled as asbestos;

(b) the presence and location of the asbestos-containing materials are clearly indicated on a placard that is posted in a conspicuous location as close as possible to the asbestos-containing materials; or

(c) the presence and location of the asbestos-containing materials are clearly indicated on a map or plan that is readily available to the workers.

(2) An employer, contractor or owner shall ensure that a label, placard, map or plan required by subsection (1) contains a warning of the danger to health from taking asbestos fibres into the body.

(3) An employer, contractor or owner shall provide to all employers, contractors and self-employed persons at the place of employment who may be at risk from any asbestos process all relevant information from the record kept pursuant to subsection 334(1) and any material mentioned in subsection 334(2) that is likely to be disturbed and may release asbestos dust.

4 Oct 96 cO-1.1 Reg 1 s335.

Inspection

336(1) An employer, contractor or owner shall ensure that all friable asbestos-containing material and all sprayed-on asbestos surfaces are regularly inspected by the employer, contractor or owner and are inspected at least annually by a competent person to confirm that the material is not releasing, and is not likely to release, asbestos dust into the atmosphere.

(2) An employer, contractor or owner shall keep a written record of the annual inspection mentioned in subsection (1) and make a copy of the record available for reference by the workers.

4 Oct 96 cO-1.1 Reg 1 s336.

Asbestos processes

337(1) An employer or contractor shall:

- (a) ensure that every asbestos process is carried out in a manner that prevents, to the extent that is practicable, the release into the air of asbestos dust;
 - (b) in consultation with the committee, develop an asbestos control plan that protects the health and safety of all workers in the event of the dispersal of asbestos dust into the atmosphere at a place of employment or worksite; and
 - (c) implement the asbestos control plan developed pursuant to clause (b).
- (2) A plan developed pursuant to subsection (1) must be in writing and must include:
- (a) the emergency procedures to be used in case of an uncontrolled release of asbestos, including:
 - (i) the means to protect exposed workers;
 - (ii) the methods to confine and control the release of asbestos; and
 - (iii) the decontamination procedures to be used;
 - (b) the asbestos processes that workers may undertake;
 - (c) the training of workers in any asbestos process the workers may be required or permitted to undertake;
 - (d) the methods to control the release of asbestos dust;
 - (e) the personal protective equipment that workers may be required to use;
 - (f) the decontamination procedures for:
 - (i) the worksite; and
 - (ii) the workers who undertake any asbestos process; and
 - (g) the inspection and maintenance schedule for all asbestos-containing materials.
- (3) An employer or contractor shall make a copy of the plan developed pursuant to subsection (1) readily available for reference by workers.
- (4) Where an asbestos process is undertaken, an employer, contractor or owner shall ensure that:
- (a) the area is effectively isolated or otherwise enclosed to prevent the escape of asbestos dust to any other part of the place of employment;
 - (b) a warning notice is conspicuously displayed indicating that asbestos work is in progress;
 - (c) all asbestos-containing materials removed are placed in appropriate receptacles that are impervious to asbestos and that are clearly labelled "Asbestos"; and
 - (d) the receptacles mentioned in clause (c) are handled and transported in a manner that will protect them from physical damage.

Asbestos surfaces

338 An employer, contractor or owner shall ensure that:

- (a) every asbestos surface is kept in good condition;
- (b) all repairs and sealing necessary to prevent the breaking-off of asbestos or the release of asbestos dust from an asbestos surface are done immediately;
- (c) no asbestos surface is disturbed for the purpose of maintenance, replacement, removal or repair until the surface is thoroughly wetted throughout the entire thickness; and
- (d) where it is not practicable to comply with clause (c):
 - (i) the asbestos surface is kept wet while the surface is being disturbed; or
 - (ii) effective means are used to capture, at source, any dust created by the disturbance.

4 Oct 96 cO-1.1 Reg 1 s338.

Ventilation equipment

339(1) Where exhaust ventilation equipment is used to contain asbestos dust, an employer, contractor or owner shall ensure that the equipment is:

- (a) equipped with a HEPA filter;
- (b) inspected regularly for defects;
- (c) maintained; and
- (d) certified by a competent person at least once each year as being able to function safely and effectively.

(2) Where exhaust ventilation equipment will exhaust into the interior of a place of employment that is occupied by workers, an employer, contractor or owner shall ensure that the equipment is tested in an approved manner by a competent person before beginning an asbestos process to ensure that the equipment is able to function safely and effectively.

4 Oct 96 cO-1.1 Reg 1 s339.

Personal protective equipment

340(1) Where effective local exhaust ventilation equipment is not used, an employer, contractor or owner shall ensure that each worker who may be exposed to asbestos dust resulting from an asbestos process is provided with and uses:

- (a) an approved respiratory protective device that is appropriate to the level of risk of the asbestos process and that meets the requirements of Part VII; and
- (b) approved protective clothing that, when worn, will exclude asbestos dust.

(2) An employer shall ensure that protective clothing:

- (a) is disposed of as asbestos waste after use; or
- (b) is kept, maintained and cleaned in a safe manner each time it is used.

4 Oct 96 cO-1.1 Reg 1 s340.

Asbestos waste

341(1) Subject to subsection (3), an employer or contractor shall ensure that asbestos waste or dust produced in a place of employment is cleaned away promptly, and at least once each day, by vacuum cleaning equipment equipped with a HEPA filter to prevent the escape of asbestos dust into the air or, where vacuum cleaning is not practicable, by wet methods.

(2) An employer or contractor shall ensure that the vacuum cleaning equipment mentioned in subsection (1):

- (a) is inspected regularly for defects;
- (b) is maintained; and
- (c) is certified by a competent person at least once each year as being able to function safely and effectively.

(3) Subsection (1) does not apply to vacuum cleaning equipment used within an effectively isolated enclosure that is being used to control the release of asbestos dust.

(4) An employer or contractor shall ensure that workers who are employed in the disposal of asbestos wastes are adequately trained in the safe means of handling those wastes and the proper disposal of those wastes in a manner that will not create a hazard to the health or safety of workers at the disposal site.

4 Oct 96 cO-1.1 Reg 1 s341.

Warning of health risks

342 An employer shall ensure that workers who are likely to be employed in an asbestos process or are likely to be exposed to asbestos dust are informed of the nature and extent of the risk to their health, including a warning that:

- (a) the inhalation of asbestos may cause:
 - (i) pneumoconiosis;
 - (ii) lung cancer; or
 - (iii) mesothelioma; and
- (b) the risk of injury to health caused by the inhalation of asbestos is increased by smoking.

10 Aug 2007 SR 67/2007 s25.

Training

343(1) An employer shall ensure that each worker who may be exposed to asbestos dust resulting from an asbestos process is provided with training in the safe handling of asbestos that is appropriate to the level of risk of the asbestos process as set out in Table 5 of the Appendix.

(2) No worker shall work in an asbestos process unless the worker has completed the training mentioned in subsection (1).

4 Oct 96 cO-1.1 Reg 1 s343.

High risk asbestos processes

344 Where a high risk asbestos process set out in Table 5 of the Appendix has been completed, an employer or contractor shall ensure that no worker is required or permitted to enter the area where the asbestos process was carried out without an approved respiratory protective device until a competent person determines that:

- (a) there are no visible signs of debris in that area; and
- (b) air monitoring verifies that airborne asbestos fibre concentrations are less than 0.01 fibres per cubic centimetre of air.

4 Oct 96 cO-1.1 Reg 1 s344.

Medical examinations

345(1) In this section, “**worker**” means a worker who is regularly employed in an asbestos process.

(1.1) Not less than once every two years and with consent of the worker, the employer shall:

- (a) offer to arrange for a medical examination of the worker during the worker’s normal working hours; and
- (b) reimburse the worker for any part of the cost of the medical examination that the worker cannot recover.

(2) Where a worker cannot attend a medical examination mentioned in subsection (1.1) during the worker’s normal working hours, an employer shall credit the worker’s attendance at the examination as time at work and ensure that the worker does not lose any pay or other benefits.

(3) A medical examination arranged pursuant to subsection (1.1) must include:

- (a) a comprehensive medical history and physical examination with special attention to the respiratory system;
- (b) lung-function tests, including forced vital capacity and forced expiratory volume at one second; and
- (c) any further medical investigations that are necessary for the diagnosis of an asbestos-related disease.

4 Oct 96 cO-1.1 Reg 1 s345; 10 Aug 2007 SR 67/2007 s26.

PART XXIV
Silica Processes and Abrasive Blasting

Interpretation**346** In this Part:

- (a) **"abrasive blasting"** means the cleaning, smoothing, roughening or removing of part of the surface of any article by the use of a jet of sand, metal shot, grit or other material;
- (b) **"blasting enclosure"** means a chamber, barrel, cabinet or other similar enclosure designed for the purpose of the abrasive blasting of articles;
- (c) **"cleaning of castings"** means, in connection with the making of metal castings, the freeing of the castings from adherent sand or other substance containing more than 5% uncombined silica, and includes the removal of cores and the general smoothing of the castings where that freeing is done, but does not include the freeing of castings from scale formed during annealing or heat treatment;
- (d) **"sandblasting"** means an abrasive blasting process that uses sand as an abrasive;
- (e) **"silica flour"** means the ground material produced by the milling of siliceous rocks or other siliceous substances;
- (f) **"silica process"** means a process that may release uncombined silica in a crystalline form in concentrations likely to exceed the contamination limits set out in Table 21 of the Appendix, and includes:
 - (i) sandblasting;
 - (ii) the cleaning of castings;
 - (iii) the abrasive blasting, grinding or dressing of any surface that contains more than 5% uncombined silica, including the engraving or abrasive cleaning of gravestones or structures;
 - (iv) the getting, cutting, splitting, crushing, grinding, milling, drilling, sieving or other mechanical manipulation of gravel or other siliceous stone or rock that contains more than 5% uncombined silica;
 - (v) any process in which silica flour is used; and
 - (vi) the manufacture of silica-containing bricks and the dismantling or repair of silica-containing refractory linings of furnaces;
- (g) **"siliceous substances"** includes diatomite;
- (h) **"uncombined silica"** means silica that is not combined chemically with any other element or compound.

Application of Part

347 This Part applies to any place of employment or worksite where a silica process is used.

4 Oct 96 cO-1.1 Reg 1 s347.

Warning of workers

348 An employer shall warn all workers who, in the course of employment, are likely to be engaged in a silica process or are likely to be exposed to silica dust of the dangers to health from the inhalation of dust containing silica.

4 Oct 96 cO-1.1 Reg 1 s348.

Cleaning of blasting equipment, etc.

349 An employer, contractor or owner shall take all practicable steps to prevent the inhalation of silica dust or the dissemination of silica dust into the air of the place of employment during the cleaning or maintenance of any blasting equipment, blasting enclosure, ventilating system or separating equipment.

4 Oct 96 cO-1.1 Reg 1 s349.

Cleaning of worksites

350 An employer or contractor shall ensure that all worksites and work-related areas where dust from a silica process may affect the health or safety of a worker are regularly cleaned using a vacuum that has a HEPA filter on the exhaust or, where a vacuum is not practicable, by using wet methods.

4 Oct 96 cO-1.1 Reg 1 s350.

Silica processes other than abrasive blasting

351(1) Where a silica process other than abrasive blasting is carried on, an employer or contractor shall ensure that the entry of dust into the air where workers may be present is prevented, to the extent that is practicable, by the provision of:

- (a) total or partial enclosure of the process;
- (b) efficient local exhaust ventilation;
- (c) jets or sprays of a suitable wetting agent; or
- (d) any other method that provides equivalent protection to the workers.

(2) An employer or contractor shall ensure that any enclosure, apparatus or exhaust-ventilation equipment provided pursuant to subsection (1) is:

- (a) maintained in accordance with subsections 67(2) and (3);
- (b) inspected daily when in use; and
- (c) certified as safe and effective by a competent person at least once each year.

(3) An employer or contractor shall ensure that no air discharged from a ventilation system provided pursuant to subsection (1) is recirculated in the place of employment unless the air is passed through an effective dust removal system equipped with a device that will provide a warning to workers when the system is not working effectively.

4 Oct 96 cO-1.1 Reg 1 s351; 31 Jan 97 SR 6/97
s12.

Isolation from air containing dust

352 Where it is not practicable to prevent the entry into the air of dust from a silica process, an employer or contractor shall, where it is practicable, provide for the isolation of workers from the air containing the dust.

4 Oct 96 cO-1.1 Reg 1 s352.

Personal protective equipment

353(1) An employer or contractor shall provide, and require a worker to wear, a respiratory protective device and other personal protective equipment that meet the requirements of Part VII where:

- (a) the protective measures required by section 351 or 352 are not practicable; or
- (b) the worker is employed in cleaning and maintenance work and may be exposed to dust from a silica process.

(2) For workers engaged in abrasive blasting, an employer or contractor shall provide and maintain approved blasting hoods supplied with air:

- (a) of a volume of not less than 170 litres per minute at a pressure of not more than 140 kilopascals; and
- (b) that is clean and at a reasonable temperature.

(3) For workers who may be exposed to dust resulting from abrasive blasting, an employer or contractor shall provide and maintain respiratory protective devices that meet the requirements of Part VII.

4 Oct 96 cO-1.1 Reg 1 s353.

Standards for blasting enclosures

354(1) An employer or contractor shall ensure that every blasting enclosure is:

- (a) constructed, operated and maintained to prevent the escape of dust;
- (b) provided with an efficient, dust-extraction system, that is operated continuously whenever the blasting enclosure is in use, whether or not abrasive blasting is actually taking place; and
- (c) provided with efficient equipment for separating the abrasive from the dust, to the extent that is practicable.

(2) An employer or contractor shall ensure that an abrasive is not reintroduced into a blasting apparatus until the abrasive has been separated from the dust pursuant to clause (1)(c).

(3) An employer or contractor shall ensure that:

- (a) a blasting enclosure is inspected daily when in use;
- (b) a blasting enclosure, the equipment connected with the enclosure and the ventilating system associated with the enclosure are thoroughly examined and tested regularly by a competent person; and
- (c) all defects identified pursuant to this section are remedied immediately.

(4) A competent person who carries out examinations and testing pursuant to clause (3)(b) shall record the results of those examinations and tests.

4 Oct 96 cO-1.1 Reg 1 s354.

Use of blasting enclosures

355 An employer or contractor shall ensure that:

- (a) to the extent that is practicable, no abrasive blasting of articles that are likely to give rise to dust containing uncombined silica is done other than in a blasting enclosure;
- (b) where practicable, no sand or other substance containing more than 1% by weight of uncombined silica is used for abrasive blasting in a blasting enclosure; and
- (c) no work is performed in a blasting enclosure except:
 - (i) abrasive blasting and work immediately incidental to abrasive blasting; and
 - (ii) cleaning and maintenance of the blasting enclosure, the equipment associated with the blasting enclosure and the ventilation system.

4 Oct 96 cO-1.1 Reg 1 s355.

Sandblasting

356(1) An employer or contractor shall ensure that no sandblasting is done to any article outside a blasting enclosure where it is reasonably practicable to introduce the article into a blasting enclosure.

(2) An employer or contractor shall ensure that no sandblasting is done inside any structure or confined space without:

- (a) obtaining the written permission of the director; and
- (b) complying with any conditions that the director may specify.

4 Oct 96 cO-1.1 Reg 1 s356.

Silica flour

357 An employer or contractor shall ensure that no silica flour is used:

- (a) for any purpose for which a less hazardous substance may be substituted; or
- (b) in the manufacture of scouring powder or abrasive soaps or as an abrasive in any process.

4 Oct 96 cO-1.1 Reg 1 s357.

Medical examinations

358(1) In this section, **"worker"** means a worker who is regularly employed in a silica process.

(1.1) Not less than once every two years and with consent of the worker, the employer shall:

- (a) offer to arrange for a medical examination of the worker during the worker's normal working hours; and
- (b) reimburse the worker for any part of the cost of the medical examination that the worker cannot recover.

(2) Where a worker cannot attend a medical examination mentioned in subsection (1.1) during the worker's normal working hours, an employer shall credit the worker's attendance at the examination as time at work and ensure that the worker does not lose any pay or other benefits.

(3) A medical examination arranged pursuant to subsection (1.1) must include:

- (a) a comprehensive medical history and physical examination with special attention to the respiratory system;
- (b) lung-function tests, including forced vital capacity and forced expiratory volume at one second; and
- (c) any further medical investigations that are necessary for the diagnosis of a silica-related disease.

4 Oct 96 cO-1.1 Reg 1 s358; 10 Aug 2007 SR 67/
2007 s27.

PART XXV
Fire and Explosion Hazards

Interpretation

359 In this Part:

- (a) **"combustible liquid"** means a liquid that has a flashpoint at or above 37.8° Celsius and below 93.3° Celsius;
- (b) **"container"** means a stationary or portable vessel that is used to contain a flammable substance, and includes a tank, tank car, tank truck and a cylinder;
- (c) **"flammable liquid"** means a liquid that has a flashpoint below 37.8° Celsius and has a vapour pressure not exceeding 275.8 kilopascals at 37.8° Celsius;
- (d) **"flammable substance"** means:
 - (i) a flammable or combustible solid, liquid or gas; or
 - (ii) dust that is capable of creating an explosive atmosphere when suspended in air in concentrations within the explosive limit of the dust;

(e) **"hot work"** means work that produces arcs, sparks, flames, heat or other sources of ignition;

(f) **"system"** means a system into which compressed or liquified gases are delivered and stored and from which the compressed or liquified gas is discharged in the liquid or gaseous form, and includes containers, pressure regulators, pressure relief devices, manifolds, interconnecting piping and controls.

4 Oct 96 cO-1.1 Reg 1 s359.

Fire safety plan

360(1) An employer, contractor or owner shall:

(a) take all reasonably practicable steps to prevent the outbreak of fire at a place of employment and to provide effective means to protect workers from any fire that may occur; and

(b) develop and implement a written fire safety plan that provides for the safety of all workers in the event of a fire.

(2) A plan developed pursuant to subsection (1) must include:

(a) the emergency procedures to be used in case of fire, including:

(i) sounding the fire alarm;

(ii) notifying the fire department; and

(iii) evacuating endangered workers, with special provisions for workers with disabilities;

(b) the quantities, locations and storage methods of all flammable substances present at the place of employment;

(c) the designation of persons to carry out the fire safety plan and the duties of the designated persons;

(d) the training of designated persons and workers in their responsibilities for fire safety;

(e) the holding of fire drills; and

(f) the control of fire hazards.

(3) An employer, contractor or owner shall ensure that:

(a) designated persons and workers who have been assigned fire safety duties are adequately trained in, and implement, the fire safety plan;

(b) the fire safety plan is posted in a conspicuous place for reference by workers; and

(c) a fire drill is held at least once during each 12-month period.

4 Oct 96 cO-1.1 Reg 1 s360.

Fire extinguishers

361(1) An employer, contractor or owner shall ensure that portable fire extinguishers are selected, located, inspected, maintained and tested so that the health and safety of workers at the place of employment is protected.

(2) An employer, contractor or owner shall ensure that portable fire extinguishers are placed not more than nine metres away from:

- (a) each industrial open-flame portable heating device, tar pot or asphalt kettle that is in use; and
- (b) each welding or cutting operation that is in progress.

4 Oct 96 cO-1.1 Reg 1 s361.

Garbage as fire hazard

362 Where garbage that may constitute a fire hazard is present at a place of employment, an employer, contractor or owner shall provide covered receptacles for the garbage that are suitable to the nature of the hazard.

4 Oct 96 cO-1.1 Reg 1 s362.

Procedures for flammable substances

363(1) Where a flammable substance is or is intended to be handled, used, stored, produced or disposed of at a place of employment, an employer, contractor or owner shall develop written procedures to ensure the health and safety of workers who:

- (a) handle, use, store, produce or dispose of a flammable substance that may spontaneously ignite or ignite when in combination with any other substance; or
- (b) perform hot work where there is a risk of fire.

(2) An employer, contractor or owner shall ensure that all workers who are required or permitted to perform work mentioned in subsection (1) are trained in, and implement, the procedures developed pursuant to subsection (1).

(3) Workers who perform work mentioned in subsection (1) shall implement the procedures developed pursuant to subsection (1).

4 Oct 96 cO-1.1 Reg 1 s363.

Receptacles for materials contaminated by flammable liquids

364(1) An employer, contractor or owner shall ensure that materials contaminated by flammable liquids are placed in receptacles that:

- (a) are non-combustible and have close-fitting metal covers;
- (b) are labelled "flammable"; and
- (c) are located at least one metre away from other flammable liquids.

(2) Where the surface on which a receptacle required by subsection (1) is placed is combustible, an employer shall ensure that the receptacle has a flanged bottom or legs that are not less than 50 millimetres high.

(3) A worker shall place materials contaminated by flammable liquids and garbage that may constitute a fire hazard into the appropriate receptacle required by this section or by section 362.

4 Oct 96 cO-1.1 Reg 1 s364.

Receptacles for combustible or flammable liquids

365 An employer, contractor or owner shall ensure that combustible and flammable liquids are kept in receptacles that meet the requirements of the *National Fire Code of Canada 1990*, including any Revisions and Errata published from time to time, respecting the storage of flammable and combustible liquids.

4 Oct 96 cO-1.1 Reg 1 s365.

Hazardous activities involving combustible or flammable liquids

366(1) An employer or contractor shall ensure that:

- (a) no gasoline is used to start a fire or used as a cleaning agent; and
- (b) no worker is required or permitted:
 - (i) to replenish a tank on a heating device with a combustible or flammable liquid while the device is in operation or is hot enough to ignite the liquid; or
 - (ii) to place a tar pot, while in use, within three metres of an entrance to or exit from a building.

(2) A worker shall not:

- (a) use gasoline to start a fire or use gasoline as a cleaning agent; or
- (b) replenish a tank on a heating device with a flammable or combustible liquid while the device is in operation or is hot enough to ignite the liquid.

4 Oct 96 cO-1.1 Reg 1 s366.

Control of ignition sources, static charges

367 An employer or contractor shall ensure that:

- (a) suitable procedures are developed and implemented to prevent the ignition of flammable liquids or explosive dusts that are present at a worksite;
- (b) all sources or potential sources of ignition are eliminated or controlled where an explosive atmosphere exists or is likely to exist; and
- (c) static charge accumulations during transfer of flammable liquids or explosive substances from one container to another are prevented by electrically bonding the containers.

4 Oct 96 cO-1.1 Reg 1 s367.

Flammable liquids, gases or explosive substances in vehicles

368(1) An employer shall ensure that no worker undertakes any servicing or maintenance of a vehicle while a flammable liquid or gas or an explosive substance:

- (a) is loaded into or unloaded from the vehicle; or
- (b) is present in the vehicle in any place other than the fuel tank.

(2) Where reasonably practicable, a worker who operates a vehicle that contains a flammable liquid or gas or an explosive substance shall ensure that the engine of the vehicle is shut off during the connection or disconnection of the lines for the loading or unloading of the flammable liquid, gas or explosive substance.

4 Oct 96 cO-1.1 Reg 1 s368.

Flammable or explosive substance in atmosphere

369(1) Where a flammable or explosive substance is present in the atmosphere of a worksite at a level that is more than 20% of the lower explosive limit of that substance, an employer or contractor shall not require or permit a worker to enter or work at the worksite.

(2) Subsection (1) does not apply to:

- (a) a fire fighter who has been trained pursuant to section 482; or
- (b) a competent worker who meets the requirements of subsection (3) and who is acting in an emergency situation at the place of employment.

(3) An employer shall ensure that:

- (a) the competent worker mentioned in clause (2)(b) is trained, equipped and works according to an approved standard;
- (b) the training required by clause (a) is provided by a competent person; and
- (c) a written record is kept of all training delivered to a worker pursuant to clause (a).

4 Oct 96 cO-1.1 Reg 1 s369; 10 Aug 2007 SR 67/
2007 s28.

Hot work

370(1) Where a flammable substance is or may be present, an employer or contractor shall ensure that no hot work is performed until:

- (a) suitable tests have been conducted that:
 - (i) indicate whether the atmosphere contains a flammable substance in a quantity sufficient to create an explosive atmosphere; and
 - (ii) confirm that the work may be safely performed; and
- (b) the work procedures developed pursuant to clause 363(1)(b) have been implemented to ensure continuous safe performance of the work.

(2) While hot work is being performed, an employer or contractor shall conduct tests described in clause (1)(a) at intervals appropriate to the work being performed and record the results.

(3) An employer or contractor shall not require or permit any hot work to be performed in the vicinity of a material that may constitute a fire hazard until suitable steps have been taken to reduce the risk of fire.

(4) An employer or contractor shall ensure that a container or piping that contains or has contained a flammable substance is purged using an effective method to remove the flammable substance from the container or piping before any hot work is begun on that container or piping.

(5) An employer or contractor shall not require or permit any welding or cutting of metal that has been cleaned with a flammable or combustible liquid until the metal has thoroughly dried.

4 Oct 96 cO-1.1 Reg 1 s370.

Compressed and liquified gas systems

371(1) An employer or contractor shall:

(a) develop and implement written procedures for the safe installation, use and maintenance of a system;

(b) make readily available for reference by workers the procedures developed pursuant to clause (a) before requiring or permitting the use of the system; and

(c) ensure that all workers are trained in and implement the procedures developed pursuant to clause (a).

(2) The workers shall implement the procedures developed pursuant to clause (1)(a).

(3) An employer or contractor shall ensure:

(a) that a system:

(i) is not exposed to temperatures that may result in the failure of the system or explosion of the contents of the system;

(ii) is maintained in a clean state, free from oil, grease or other contaminant that may cause a failure of the system or that may burn or explode if the contaminant comes into contact with the contents of the system; and

(iii) is located, guarded and handled during filling, transportation, use and storage so that the system is protected from damage;

(b) that service valve outlets and the extensions of service valve outlets of containers that are not connected to any apparatus are capped; and

(c) where equipment is designed for use with a particular compressed or liquified gas or gases, that:

(i) only those gases are used in the equipment; and

(ii) the equipment is clearly labelled as being only for that use.

- (4) A worker shall:
- (a) take all reasonable steps to ensure that sparks, flames or other sources of ignition do not come into contact with a system;
 - (b) maintain a system in a clean state, free from oil, grease or any other contaminant; and
 - (c) secure the cap in place before transporting a container.

4 Oct 96 cO-1.1 Reg 1 s371.

Oxygen

372(1) An employer or contractor shall ensure that no oil, grease or other contaminant contacts a cylinder, valve, regulator or any other fitting of an oxygen-using apparatus or an oxygen distribution or generating system.

(2) An employer or contractor shall ensure that oxygen is not used as a substitute for compressed air:

- (a) in pneumatic tools;
 - (b) to create pressure;
 - (c) for ventilating purposes; or
 - (d) to blow out a pipeline.
- (3) A worker shall not use oxygen as a substitute for compressed air:
- (a) in pneumatic tools;
 - (b) to create pressure;
 - (c) for ventilating purposes; or
 - (d) to blow out a pipeline.

4 Oct 96 cO-1.1 Reg 1 s373.

Gas burning and welding equipment

373(1) Where gas burning or welding equipment is in use, an employer or contractor shall ensure that:

- (a) approved flashback devices are installed on both hoses at the regulator end; and
 - (b) acetylene and liquified gas containers are used and stored in an upright position.
- (2) A worker shall shut off the container valve and release the pressure in the hose when the worker has finished with any gas burning or welding equipment and is not likely to use it within the next two hours.

4 Oct 96 cO-1.1 Reg 1 s373.

Piping

374(1) Where workers are required or permitted to work on piping that may contain harmful substances or substances under pressure, an employer or contractor, in consultation with the committee, shall develop written procedures to protect the workers from contact with those substances.

(2) The procedures developed pursuant to subsection (1) must include:

- (a) the installation of a blank that is appropriate for the proper pressure in the piping;
- (b) the closing of two blocking valves installed in the piping and the opening of a bleed-off valve installed between the blocking valves;
- (c) the installation of an approved safety device; or
- (d) where the procedures mentioned in clauses (a), (b) and (c) are not reasonably practicable, any other procedures that are adequate to protect the health and safety of the workers.

(3) An employer or contractor shall ensure that all workers are trained in and implement the procedures developed pursuant to subsection (1).

(4) An employer or contractor shall ensure that:

- (a) the piping mentioned in clause (2)(a) is clearly marked to indicate that a blank has been installed; or
- (b) the two blocking valves mentioned in clause (2)(b) or the approved safety device mentioned in clause (2)(c):
 - (i) are locked in the closed position and the bleed-off valve is locked in the open position; and
 - (ii) are tagged to indicate that the valves must not be activated until the tags are removed by a worker designated by the employer for that purpose.

(5) An employer or contractor shall ensure that a worker designated pursuant to subclause (4)(b)(ii):

- (a) monitors the valves to ensure that they are not activated while a worker is working on the piping; and
- (b) records on the tag mentioned in subclause (4)(b)(ii) the date and time of each monitoring and signs the tag each time the worker monitors the valves.

(6) An employer or contractor shall ensure that any valve installed on piping mentioned in this section is clearly marked to indicate the open and closed positions.

PART XXVI Explosives

Application of Part

375 This Part applies to all blasting activities, except blasting activities governed by *The Mines Regulations* or *The Sedimentary Basin Geophysical Exploration Regulations, 1985*.

4 Oct 96 cO-1.1 Reg 1 s375.

Qualifications of workers

376(1) An employer or contractor who plans to conduct blasting activities shall ensure that a worker who is to undertake a blasting operation:

- (a) has been thoroughly trained in:
 - (i) the estimation of the amount of explosives required, and in placing, priming and initiating the charge;
 - (ii) the appropriate procedures to be followed to ensure the safety of other workers;
 - (iii) the procedures to be followed in the event of a misfire; and
 - (iv) the examination of the site after blasting to ensure that it is safe to return to the site;
- (b) has demonstrated competence to carry out the procedures mentioned in clause (a);
- (c) has a thorough knowledge of all federal and provincial statutes, regulations and codes of practice pertaining to the safe use of explosives that are relevant to the blasting operation in question; and
- (d) holds a written authorization to blast signed by the worker's employer.

(2) A worker shall not undertake a blasting activity until the worker possesses written authorization to blast signed by the worker's employer.

4 Oct 96 cO-1.1 Reg 1 s376.

Written procedures

377(1) An employer or contractor shall ensure that appropriate written procedures are provided to a worker who conducts a blasting operation to ensure the safety of the worker and any other person in the vicinity of the blasting operation.

(2) A worker who undertakes a blasting activity shall follow the procedures provided by the employer or contractor pursuant to subsection (1).

4 Oct 96 cO-1.1 Reg 1 s377.

Equipment

378 An employer or contractor shall provide a worker who is to undertake a blasting operation with suitable testing and detonating equipment.

4 Oct 96 cO-1.1 Reg 1 s378.

Storage and transportation of explosives

379(1) An employer or contractor shall ensure that all explosives are stored or transported:

- (a) in suitable sealed containers that are conspicuously marked "Danger – Explosives"; and
 - (b) in a manner that prevents the explosives from coming into contact with any flammable substance or other agent that may cause the explosives to detonate.
- (2) An employer or contractor shall ensure that all explosives are kept in a secure location that is accessible only to authorized workers.

4 Oct 96 cO-1.1 Reg 1 s379.

PART XXVII
Demolition Work

Interpretation

380 In this Part, "**demolition**" means the tearing down, destroying, breaking up or razing of a structure, and includes the demolition of any major part of a structure that involves outer walls or principal supporting members.

4 Oct 96 cO-1.1 Reg 1 s380.

Before demolition begins

381(1) Before a demolition begins, an employer, contractor or owner shall ensure that:

- (a) all chemical or biological substances that may be hazardous to workers during demolition are removed from the structure or the part of the structure that is being demolished;
 - (b) all glass is removed from the structure or the part of the structure that is being demolished; and
 - (c) subject to subsection (2), all gas, electrical, telecommunications, sewer and water services connected to the structure or the part of the structure that is being demolished are disconnected.
- (2) Where power is required for illumination or other purposes, an employer, contractor or owner shall provide a suitably located temporary power service.

4 Oct 96 cO-1.1 Reg 1 s381.

Stability of adjacent structures

382 Where the demolition of a structure may affect the stability of an adjoining structure, an employer, contractor or owner shall ensure that:

- (a) the demolition is carried out in accordance with procedures certified in writing by a professional engineer to safeguard the stability of the adjoining structure; and
- (b) a copy of the procedures required by clause (a) is kept at the worksite during demolition.

4 Oct 96 cO-1.1 Reg 1 s382.

Requirements re workers

383 In a demolition, an employer, contractor or owner:

- (a) shall appoint a competent supervisor to be in charge of the demolition at all times that the work is in progress;
- (b) shall ensure that all workers or equipment are located clear of any falling material; and
- (c) where a worker is or may be present in a building during its demolition, shall ensure that the demolition is performed floor by floor from the top downward.

4 Oct 96 cO-1.1 Reg 1 s383.

Demolition procedures

384 In a demolition, an employer, contractor or owner shall ensure that:

- (a) dust from the demolition is controlled to the extent that is reasonably practicable;
- (b) materials and debris are not allowed to accumulate in any area to the extent that the materials and debris cause overloading of a structure that could result in the collapse of all or part of the structure;
- (c) any opening or hole in a floor, roof or other surface on which workers are required or permitted to walk or stand is guarded or covered as required by section 124;
- (d) a free-standing scaffold is used in the demolition of a building shaft from the inside;
- (e) steel structures are dismantled column length by column length and tier by tier from the top downward; and
- (f) no wall or other part of the structure being demolished is left in an unstable condition or in danger of accidental collapse except during the actual demolition of that wall or part of the structure.

4 Oct 96 cO-1.1 Reg 1 s384.

Material chutes

385(1) An employer, contractor or owner shall ensure that a material chute steeper than 45° from the horizontal is constructed to enclose the material placed in the chute.

(2) Where a material chute presents a danger to workers, an employer, contractor or owner shall ensure that a guardrail is installed around the top of the chute to prevent workers from falling into the chute.

4 Oct 96 cO-1.1 Reg 1 s385.

Structural members

386(1) An employer, contractor or owner shall ensure that structural members that are being removed are not under any stress other than the member's own weight and are secured or supported to prevent any unexpected movement.

(2) Where a structural member is being hoisted by a crane or other similar lifting device from a structure being demolished or from the demolition rubble, an employer, contractor or owner shall ensure that the hoisting line is in a vertical position and is over the centre of gravity of the load in a manner that will reduce the danger to workers from a swinging or uncontrolled load.

4 Oct 96 cO-1.1 Reg 1 s386.

Use of powered mobile equipment

387(1) Before powered mobile equipment is placed on a floor, roof or other surface on which workers are required or permitted to walk or stand for the purpose of demolishing a structure, an employer, contractor or owner shall ensure that the floor, roof or other surface is capable of supporting the load that may be placed on the floor, roof or other surface.

(2) Where powered mobile equipment is used for the purpose of demolishing a structure, an employer, contractor or owner shall ensure that safe work procedures are developed and implemented.

4 Oct 96 cO-1.1 Reg 1 s387.

Use of explosives

388 Where a structure is to be demolished by explosives, an employer, contractor or owner shall:

- (a) ensure that a competent person develops a demolition procedure to protect the health and safety of workers;
- (b) submit a copy of the demolition procedure to the division not less than 30 days before the proposed date of the demolition; and
- (c) ensure that the worker who undertakes the blasting activity has the training, competence and knowledge described in clauses 376(1)(a) to (c).

4 Oct 96 cO-1.1 Reg 1 s388.

PART XXVIII
Forestry and Mill Operations

Interpretation

389 In this Part:

- (a) **"bucking"** means sawing a log or felled tree into smaller lengths;
- (b) **"chicot"** means a dead or damaged tree or a dead or damaged limb of a tree;
- (c) **"cutting"** includes felling, limbing and bucking;
- (d) **"felling"** means cutting a tree from the tree's stump and bringing the tree to the ground;
- (e) **"forestry operation"** means the cutting or harvesting of trees, and includes the transporting of logs and the preparing of sites for tree planting and seeding;
- (f) **"limbing"** means removing limbs from a tree that has been felled;
- (g) **"lodged tree"** means a tree that has not fallen to the ground after being partly or wholly separated from the tree's stump or displaced from the tree's natural position;
- (h) **"mill operation"** means the operation of a pulp mill, paper mill, sawmill, plywood mill, wafer-board mill or strand-board mill, and includes the operation of equipment that is designed to manufacture or process wood products;
- (i) **"skidder operator"** means a worker who operates a skidder or who operates any other powered mobile equipment to perform the work of a skidder;
- (j) **"skidding"** means moving logs or trees by pulling the logs or trees across the terrain;
- (k) **"snag"** means any material or object that may interfere with the safe movement of a tree or log or that may endanger a worker;
- (l) **"stake"** means a wooden or metal post or a post made of other material of equivalent strength that is used to support and prevent the lateral movement of logs;
- (m) **"windfall"** means a tree blown down by wind;
- (n) **"wood products"** includes pulp, pulpwood, paper, veneer, plywood, lumber, timber, poles, posts, chips, wafers and other products resulting from a forestry operation.

4 Oct 96 cO-1.1 Reg 1 s389.

Application of Part

390 This Part applies to all forestry operations and mill operations.

4 Oct 96 cO-1.1 Reg 1 s390.

First aid attendant

391 Notwithstanding section 52, where a worker is cutting or skidding, an employer or contractor shall ensure that a first aid attendant with a class A qualification is readily available at all times.

4 Oct 96 cO-1.1 Reg 1 s391.

Cutting and skidding – general requirements

392(1) During cutting and skidding operations, an employer or contractor shall ensure that:

- (a) workers who do not have duties associated with cutting and skidding are not permitted to enter the area where those operations are carried out while they are being carried out;
- (b) a worker fells all timber that is adjacent to a proposed landing or other place where workers will work and that may create a hazard to workers before the landing or other place is used;
- (c) no worker fells a tree within range of a travelled road unless effective means are taken to stop traffic until the tree has been felled and the tree and all debris that creates a risk to the health or safety of a worker have been removed from the road; and
- (d) a worker closely limbs trees:
 - (i) before the trees are placed on a rollway; or
 - (ii) where the limbs may create a risk to the health or safety of a worker.

(2) An employer or contractor shall ensure that:

- (a) no person enters a felling area unless the worker engaged in felling has advised the person entering the area that it is safe to enter;
- (b) workers are instructed in, and comply with, the duties set out in subsection (3), subsection 146(4), sections 393 and 394, subsections 395(3), 397(3) and 398(2), section 400 and subsection 401(11);
- (c) every worker engaged in conventional logging has, within six months after commencing employment, successfully completed an approved course in conventional logging safety; and
- (d) a worker who has completed an approved course as required by clause (c) maintains any designation or certification that is earned through completing that course.

(3) A worker shall not work on a hillside below a cutting or skidding operation where a danger may exist from a tree or log rolling or moving downhill towards the worker.

4 Oct 96 cO-1.1 Reg 1 s392; 10 Aug 2007 SR 67/2007 s29.

Cutting

393 During cutting operations, a worker shall:

- (a) remove any chicot or any other hazard to the worker or any other worker in the vicinity before any other tree is felled;
- (b) remain at a safe distance from, and not fell a tree onto, any tree that is lodged or may be dangerous for any other reason; and
- (c) move quickly to a predetermined safe position when a tree starts to fall.

4 Oct 96 cO-1.1 Reg 1 s393.

Felling

394(1) Before starting to fell a tree, a worker shall:

- (a) clear away adjacent brush to provide sufficient room to work and to provide a path at a 45° angle from the direction opposite to the planned direction of fall to a safe position; and
- (b) ensure that no other worker is located closer than 60 metres to the tree being felled.

(2) Before a felling cut is begun on a tree with a trunk that has a diameter of 15 centimetres or more, a worker shall:

- (a) undercut the trunk to control the direction of the fall; and
- (b) ensure that:
 - (i) the depth of the undercut is at least one third of the diameter of the tree trunk at that point; and
 - (ii) both cuts that form the undercut meet at that depth.

(3) After making an undercut, a worker shall:

- (a) remove the wood from the undercut before the back cut is started and leave sufficient holding wood in the back cut side to control the direction of the fall of the tree; and
- (b) ensure that the back cut is above the undercut at a distance that does not exceed 100 millimetres from the undercut.

(4) Where a worker cannot safely complete the felling of a tree or a tree that a worker is felling has become unsafe, the worker shall:

- (a) remain in the area in a safe location; and
- (b) do no further work until a skidder operator fells the tree.

4 Oct 96 cO-1.1 Reg 1 s394.

Partially cut trees

395(1) Subject to subsection (2), where a tree is partially cut, an employer or contractor shall ensure that the worker immediately completes the felling of the tree.

(2) If a partially cut tree cannot be completely felled or sits back on the stump, an employer or contractor shall ensure that the worker remains in the area in a safe location and does no further work until a skidder operator assists the worker to fell the tree safely.

(3) A worker shall not fell a tree or undertake any other activity until every partially cut tree in the vicinity and every tree in the vicinity that sits back on its stump has been felled.

4 Oct 96 cO-1.1 Reg 1 s395.

Lodged trees

396(1) Where there is a lodged tree, an employer or contractor shall ensure that:

- (a) the tree is felled immediately by a skidder operator;
- (b) the tree is not climbed by a worker;
- (c) a worker does not lower the tree by felling another tree onto the lodged tree; and
- (d) a worker does not remove the lodged tree by cutting the supporting tree.

(2) An employer or contractor shall ensure that no worker, other than the worker who is felling a lodged tree, enters the felling area until it is safe to do so.

4 Oct 96 cO-1.1 Reg 1 s396.

Mechanized fellers and limbers

397(1) An employer or contractor shall ensure that:

- (a) a mechanized feller or limber is provided with:
 - (i) adequate protection for the operator, including protection against any falling tree or part of a tree; and
 - (ii) a cab for the operator with two exits through which the operator can readily escape; and
- (b) a mechanized feller is designed and equipped to direct the fall of the tree away from the mechanized feller.

(2) An employer or contractor shall ensure that:

- (a) no worker operates a mechanized feller or limber in a location where the stability of the machine cannot be assured; and
- (b) no worker operates a mechanized feller within 60 metres of a worker who may be endangered by a falling tree or part of a tree.

- (3) A worker shall not:
- (a) operate a mechanized feller or limber in a location where the stability of the machine cannot be assured; or
 - (b) operate a mechanized feller within 60 metres of a worker who may be endangered by a falling tree or part of a tree.

4 Oct 96 cO-1.1 Reg 1 s397.

Bucking and limbing

398(1) Where a worker is bucking or limbing, an employer or contractor shall ensure that the worker:

- (a) clears away any brush or object that may create a hazard to the worker;
- (b) does not move forward while limbing a tree or log unless the worker is limbing on the side of the tree or log that is opposite to the side of the tree or log on which the worker is located;
- (c) remains at least 60 metres from any tree being felled;
- (d) remains in a location safe from any tree or log being skidded or otherwise moved; and
- (e) works only on the uphill side of any log that is lying on an incline.

(2) While bucking or limbing, a worker:

- (a) shall clear away any brush or object that may create a hazard to the worker;
- (b) shall not move forward while limbing a tree or log unless the worker is limbing on the side of the tree or log that is opposite to the side of the tree or log on which the worker is located;
- (c) shall remain at least 60 metres from any tree being felled;
- (d) shall remain in a location safe from any tree or log being skidded or otherwise moved; and
- (e) shall work only on the uphill side of any log that is lying on an incline.

4 Oct 96 cO-1.1 Reg 1 s398.

Skidding

399(1) During skidding operations, an employer or contractor shall ensure that:

- (a) every snag, chicot, lodged tree or windfall that may be hazardous and that is located along or adjacent to a skid trail, haul road or landing is removed; and
- (b) a skidder operator pulls down any tree that is lodged or is dangerous for any other reason immediately when the lodged or dangerous tree is reported to the skidder operator.

- (2) An employer or contractor shall ensure that a winching machine is equipped with suitable safeguards to protect the operator from flying objects.
- (3) An employer or contractor shall ensure that:
- (a) no worker other than a skidder operator is required or permitted to ride on any skidder except where the skidder is provided with a second seat that is adequately protected;
 - (b) a skidder operator is required to discontinue operating when the operation of the skidder may endanger another worker until it is possible for the operation to proceed without danger to the other worker;
 - (c) a skidder operator does not operate a skidder within 60 metres of a worker who is felling a tree until the worker has signalled that it is safe to operate the skidder; and
 - (d) a skidder operator does not operate a skidder near the edge of a bank, fill, excavation, incline or any other place where the skidder cannot safely be controlled.
- (4) An employer or contractor shall ensure that the skidder operator applies the brakes and, where the terrain is uneven, lowers the blade to the ground when the skidder operator temporarily gets off the skidder.
- (5) When a skidder operator parks a skidder, an employer or contractor shall ensure that the skidder operator parks the skidder on even ground and lowers the blade to the ground.

4 Oct 96 cO-1.1 Reg 1 s399.

Skidder operators' responsibilities

400(1) A skidder operator shall:

- (a) remove every snag, chicot, lodged tree or windfall that may be hazardous or that is located along or adjacent to any skid trail, haul road or landing; and
 - (b) where advised that a tree is lodged or otherwise dangerous, immediately remove the tree.
- (2) A skidder operator shall not operate the winch at an angle that may cause the skidder to overturn.
- (3) A skidder operator shall:
- (a) keep any loose winch cable wound up on the winch drum and any choker clear of the ground during travel;
 - (b) ensure that no worker is located under or near the winch cable or choker cables or in a position to be struck by a winch cable or choker cable if the cable breaks or comes loose; and
 - (c) attach any choker cable applied to a log no farther from the end of the log than one metre.

- (4) Before moving a log, a skidder operator shall ensure that no other worker may be endangered by moving the log.
- (5) A skidder operator:
 - (a) shall not operate the skidder winch except from the seat provided unless a remote control device is provided and used from a safe winching position; and
 - (b) shall operate the skidder at a speed and in a manner that will prevent the skidder overturning.
- (6) When skidding logs to a landing, a skidder operator shall winch the drag up tight to the rear of the skidder to prevent uncontrolled movement of the logs.
- (7) Where a worker is attaching a choker to a log on sloping ground, a skidder operator shall lower the blade of the skidder to the ground.
- (8) When temporarily getting off a skidder, a skidder operator shall apply the brakes and, where the terrain is uneven, lower the blade to the ground.
- (9) When parking a skidder, a skidder operator shall park the skidder on even ground and lower the blade to the ground.

4 Oct 96 cO-1.1 Reg 1 s400.

Loading, unloading and hauling logs

- 401(1)** Where a worker is loading or unloading logs, an employer or contractor shall ensure that the loading and unloading areas are suitably graded and maintained appropriately for the equipment that is being used.
- (2) Where a worker is loading or unloading logs with a crane or other type of mechanical loader, an employer or contractor shall ensure that no worker is required or permitted to stand or work under the path of the bucket, grapple or load.
- (3) Where a worker is or may be at risk from logs suspended over or near the cab of a vehicle, an employer or contractor shall ensure that the worker is not required or permitted to remain in the cab.
- (4) An employer or contractor shall ensure that a worker who is not actively engaged in a loading or unloading operation:
 - (a) remains at a safe distance from the operation in clear view of the operator; or
 - (b) if the hazard mentioned in subsection (3) does not exist, remains in the cab of the vehicle.
- (5) Where a worker is operating a loader equipped with a clam, an employer or contractor shall ensure that the jaws of the clam secure the entire load.
- (6) Where a loader is equipped with a fork, an employer or contractor shall ensure that rear stoppers are provided that are designed and sufficiently strong to prevent any log from falling back on the operator.

- (7) An employer or contractor shall ensure that:
- (a) a log yard is constructed, arranged, maintained and operated so that a worker may work without exposure to danger from any moving log or equipment; and
 - (b) a worker does not build a log pile to a height greater than a height that can be safely handled by the equipment used in the stacking and breaking down of the log deck.
- (8) An employer or contractor shall ensure that no worker is required or permitted to work on, under or beside the haul unit during loading or unloading.
- (9) Where an operator does not have a clear view of the entire loading or unloading operation, an employer or contractor shall ensure that a signaller with a clear view of the operation and visible to the operator is designated pursuant to subsection 132(1) to give all signals necessary to ensure the safety of a worker involved in the loading or unloading operation.
- (10) An employer or contractor shall ensure that a worker:
- (a) restrains the top log on the outside edge of a vehicle by at least two stakes; and
 - (b) secures the log load on a vehicle:
 - (i) to the vehicle body with tie-downs of sufficient size and strength to restrain the logs;
 - (ii) between each set of stakes; and
 - (iii) by at least two tie-downs at the rear of the load.
- (11) A worker who is engaged in loading or unloading logs shall:
- (a) before shutting down and leaving the loader, lower the clam or forks, put the loader in neutral and apply the brakes;
 - (b) while manually loading, unloading, decking or breaking piles, work only at the end of the logs; and
 - (c) while loading or unloading logs, work in a safe position in clear view of the operator or signaller.

4 Oct 96 cO-1.1 Reg 1 s401.

Vehicles used to haul logs

402 An owner of a vehicle used to haul logs shall ensure that:

- (a) the vehicle is equipped with a bulkhead installed between the cab and the load that is of sufficient size and strength to resist any impact caused by a shifting load;
- (b) stakes used to restrain logs on the vehicle are designed, constructed and installed to safely support any load placed against the stakes; and
- (c) stake extensions are of a strength equivalent to the strength of the stake and positively secured to the stake to prevent inadvertent detachment.

4 Oct 96 cO-1.1 Reg 1 s402.

Log carriages

403(1) Where sawmill log carriages are used, an employer or contractor shall ensure that no worker is required or permitted to ride on a log carriage.

(2) Where the area immediately behind a log carriage is used as a walkway, an employer or contractor shall ensure that a guardrail is installed between the walkway and the carriage for the full extent of the carriage travel.

(3) An employer or contractor shall ensure that:

(a) suitable devices are installed to stop a log carriage at the end of the carriage's travel in each direction;

(b) a log carriage is equipped with a suitable headblock that is equipped with suitable dogs that are used to secure the log during the sawing operation;

(c) a log carriage is provided with a safety device that will ensure that the headblock cannot be moved to a position within 30 millimetres of the saw blade;

(d) sweepers are provided in front and at the back of a log carriage to remove all obstructions from the track;

(e) a power-driven log carriage is propelled by a wire rope that is:

(i) of sufficient strength to propel the log carriage safely; and

(ii) maintained in safe operating condition;

(f) the sawyer's lever operating the carriage drive mechanism is designed and installed so that the movement of the lever is in the opposite direction to the carriage travel, except when the sawyer's position and controls are enclosed or isolated from the hazards of the carriage; and

(g) means are provided to securely lock the sawyer's log turning and carriage control levers.

(4) An employer or contractor shall ensure that the sawyer engages the carriage control lever lock before leaving the sawyer's position.

4 Oct 96 cO-1.1 Reg 1 s403.

Sawmill head rigs

404(1) Where a sawmill head rig is operated, an employer or contractor shall ensure that:

(a) a circular blade sawmill is equipped with suitable saw guides that can only be adjusted from outside the husk;

(b) husks are completely enclosed and are provided with a substantial, securely hinged cover;

(c) a solid splitter is provided that:

(i) has a leading edge that is adjacent to and conforms to the curvature of the saw blade; and

(ii) extends above the carriage deck a distance of not less than one-quarter of the diameter of the saw blade in use;

- (d) a substantial safeguard is provided over the lower portion of the head saw blade under the carriage tracks and extends at least 15 centimetres below the bottom of the largest size saw blade in use;
 - (e) a substantial heavy-mesh screen or other suitable material is securely placed between the saw blade and the sawyer's position to protect the sawyer from any throw-backs from the saw;
 - (f) mesh screens required by clause (e) are backed by a small-mesh screen or other effective safeguard located on the sawyer's side of the heavy screen to protect the sawyer from small flying particles;
 - (g) a power unit driving a sawmill is equipped with an emergency stopping device located within immediate reach of the sawyer; and
 - (h) the yard end of an elevated log deck rollway is equipped with a device that will prevent logs from rolling back into the mill yard.
- (2) An employer or contractor shall ensure that the support structure for a top saw is of sufficient size and strength to withstand any forces imposed on the saw.

4 Oct 96 cO-1.1 Reg 1 s404.

Trimmer saws

- 405** An employer or contractor shall ensure that a trimmer saw blade is equipped with a safeguard that allows the passage of material being cut, exposes a minimum amount of the saw blade and protects workers from flying debris.

4 Oct 96 cO-1.1 Reg 1 s405.

Edgers

- 406(1)** An employer or contractor shall ensure that:

- (a) the top of an edger is covered effectively to control flying debris;
 - (b) the roll of an edger is kept in contact with the material being cut; and
 - (c) an edger is equipped with an effective kickback device to protect workers from material thrown from either end of the edger.
- (2) An employer or contractor shall ensure that an overhead or double arbour saw edger is provided with a safeguard to protect workers from material thrown from the infeed rolls or the outfeed rolls.

4 Oct 96 cO-1.1 Reg 1 s406.

Bandsaws

- 407** An employer or contractor shall ensure that:

- (a) the saw blades of a bandsaw are enclosed or guarded between the top guideroll and the table, except on the working side of the blade;
- (b) bandsaw wheels are fully enclosed; and
- (c) bandsaw machines are provided with an effective automatic tension control device.

4 Oct 96 cO-1.1 Reg 1 s407.

Feedrolls of resaws

408 An employer or contactor shall ensure that the feedrolls of a resaw are protected with semi-cylindrical metal guards to prevent the hands of a worker from coming in contact with the roll.

4 Oct 96 cO-1.1 Reg 1 s408.

Dry kilns

409 An employer or contractor shall ensure that:

- (a) before the heating process is begun, no worker remains in a dry kiln; and
- (b) a dry kiln is equipped with a readily identifiable escape door or kick out panel that measures not less than 600 millimetres by 600 millimetres.

4 Oct 96 cO-1.1 Reg 1 s409.

PART XXIX Oil and Gas

Interpretation

410 In this Part:

- (a) **"derrick"** means a stationary or portable structure that is used to support the hoisting and lowering mechanism on a rig;
- (b) **"drilling rig"** means the derrick and all equipment that is directly involved with drilling a well or producing oil or gas from a well;
- (c) **"flush-by"** means a pumping unit that is used to loosen formation deposits in a well;
- (d) **"rig"** includes a drilling rig and a well servicing rig;
- (e) **"swabbing unit"** means equipment that uses wire rope to lift fluids from a well;
- (f) **"well servicing rig"** means all equipment directly involved with servicing a well;
- (g) **"well testing"** means evaluating the productivity of a well and the quality of the product.

4 Oct 96 cO-1.1 Reg 1 s410.

Application of Part

411 This Part applies to all drilling procedures for the exploration of oil and gas and to the drilling, operation and servicing of a gas well or an oil well, the production of oil or gas from a well and the ancillary processes associated with these activities.

4 Oct 96 cO-1.1 Reg 1 s411.

Supervisors

412(1) An employer, contractor or owner shall appoint a competent person to supervise any oil or gas exploration, drilling, servicing, testing or production operation.

(2) An employer, contractor or owner shall ensure that the supervisor appointed pursuant to subsection (1) is knowledgeable about, and experienced in the following matters that are within the area of the supervisor's responsibility:

- (a) safe work practices, including the safe operation of any plant at the place of employment;
- (b) the safe handling, use and storage of hazardous substances;
- (c) well control and blowout prevention;
- (d) the detection and control of worker exposure to hydrogen sulphide;
- (e) the handling, use, maintenance and storage of personal protective equipment;
- (f) the appropriate response to any emergency situation at the place of employment;
- (g) the duties and responsibilities of all workers being supervised by the supervisor;
- (h) the training of workers being supervised by the supervisor in safe work practices and procedures.

(3) An employer, contractor or owner who has appointed a supervisor pursuant to subsection (1) shall:

- (a) give written notice to all employers and self-employed persons who are involved in the operation of the name, method of contact, duties and responsibilities of the supervisor; and
- (b) obtain written acknowledgement from each employer or self-employed person involved in the operation that the employer or self-employed person has received the notice required by clause (a) and has agreed to accept the direction of the supervisor.

4 Oct 96 cO-1.1 Reg 1 s412.

Daily tour book

413 An employer, contractor or owner shall:

- (a) provide for each rig a daily tour book and ensure that the book is kept at the site of the rig;
- (b) ensure that all details of any inspection required by this Part, any repair made and all work activities undertaken at the site of the rig are recorded in the daily tour book;
- (c) ensure that the record required by clause (b) is signed by the worker who performs the inspection; and
- (d) ensure that the supervisor reviews the entries for the day in the tour book and signs the tour book daily.

4 Oct 96 cO-1.1 Reg 1 s413.

Routine inspections

414 An employer, contractor or owner shall ensure that:

- (a) a rig is inspected by a competent person before commencing operations and at least every 30 working days after that; and
- (b) where a defect or unsafe condition is identified during an inspection, an employer, contractor or supplier shall:
 - (i) take steps immediately to protect the health and safety of any worker who may be at risk until the defect is repaired or the unsafe condition is corrected; and
 - (ii) as soon as is reasonably practicable, repair any defect or correct any unsafe condition.

4 Oct 96 cO-1.1 Reg 1 s414.

General requirements re design, etc., of rig

415(1) An employer, contractor or owner shall ensure that a rig and all of its auxiliary equipment are designed, constructed, installed, maintained and operated so as to fulfil their intended purposes safely.

(2) An employer, contractor or owner shall ensure that:

- (a) the maximum safe operating depth of a rig, based on the design of the equipment, for each specified condition and operation is determined and certified by the manufacturer or a professional engineer;
- (b) the maximum safe operating load of a derrick is determined and certified by the manufacturer or a professional engineer;
- (c) the maximum safe operating depth and maximum safe operating load determined in accordance with clauses (a) and (b) are prominently displayed on the rig and are not exceeded;
- (d) any structural change or repair to a derrick is certified as safe by a professional engineer before the derrick is used; and
- (e) where a structural change or repair is made to a rig, the maximum safe operating depth of the rig and maximum safe operating load of the derrick are redetermined and recertified by a professional engineer and displayed on the rig.

(3) Where the substructure of a rig is enclosed, an employer, contractor or owner shall ensure that the substructure is ventilated in accordance with the requirements of sections 65 to 67.

4 Oct 96 cO-1.1 Reg 1 s415.

Flush-by and swabbing units

416(1) An employer, contractor or owner shall ensure that a flush-by or a swabbing unit is designed, constructed, installed, maintained and operated so as to fulfil the unit's intended purpose safely.

(2) An employer, contractor or owner shall ensure that a flush-by or swabbing unit is not used to flow fluids back into an attached tank.

4 Oct 96 cO-1.1 Reg 1 s416; 10 Aug 2007 SR 67/2007 s30.

Securing parts of rig

417(1) An employer, contractor or owner shall ensure that any part of a rig, and any equipment attached to a rig, that may endanger a worker if it fails, moves or falls is secured to eliminate the danger.

(2) An employer, contractor or owner shall ensure that the driller's position on a rig is protected from any hazard created by the cathead or tong lines.

(3) An employer, contractor or owner shall ensure that the workers on a drilling rig floor are protected from any hazard created by the cathead or tong lines.

4 Oct 96 cO-1.1 Reg 1 s417.

Raising and lowering derricks

418(1) Before a derrick is raised or lowered, an employer, contractor or owner shall ensure that a complete inspection of all of the derrick's parts is made by a competent person.

(2) An employer, contractor or owner shall ensure that:

(a) a competent person is in charge of, and present during, the raising and lowering of a derrick; and

(b) a derrick is raised or lowered in accordance with the manufacturer's specifications.

4 Oct 96 cO-1.1 Reg 1 s418.

Rig sites and foundations

419 An employer, contractor or owner shall ensure that:

(a) the site of a rig is constructed and maintained so that oil, water, drilling fluid and other fluids will drain away from the wellbore; and

(b) the foundation of a rig is capable of safely supporting the gross weight of the derrick under the maximum anticipated hook load and any load imposed during raising and lowering of the derrick.

4 Oct 96 cO-1.1 Reg 1 s419.

Guy lines

420 An employer, contractor or owner shall ensure that:

- (a) guy lines, where required by the manufacturer, are installed on a derrick so that the number, spacing and specifications of the guy lines and the spacing, capacity and specifications of guy line ground anchors:
 - (i) meet the requirements of an approved standard; or
 - (ii) are designed and certified as safe by a professional engineer; and
- (b) instructions for the number, spacing and specifications of guy lines and the spacing, capacity and specifications of guy line ground anchors are displayed by means of a plate fixed to the derrick or by a specification sheet that is readily available to workers at the rig.

4 Oct 96 cO-1.1 Reg 1 s420.

Platforms, ladders and stairways

421(1) An employer, contractor or owner shall ensure that:

- (a) a derrick is equipped with a fixed ladder or ladders providing access from the derrick floor to the crown platform and to each intermediate platform; and
- (b) platforms are provided:
 - (i) on a drilling rig, at the fourble board, stabbing board and crown; and
 - (ii) on a service rig, at the tubing board and rod basket.

(2) An employer, contractor or owner shall ensure that a derrick floor and all stairways, ladders, ramps, catwalks and platforms are kept free of obstructions that may hinder or prevent the exit of workers.

4 Oct 96 cO-1.1 Reg 1 s421.

Means of escape

422(1) An employer, contractor or owner shall ensure that a derrick is equipped with a specially rigged and securely anchored auxiliary escape line that provides a ready, safe and convenient means of escape from the fourble board and the crown in the derrick.

(2) An escape line required by subsection (1) must be a wire rope with a minimum diameter of 11.5 millimetres and must be installed with a safety buggy that is equipped with a braking device.

(3) An employer, contractor or owner shall ensure that:

- (a) the tension on an escape line is sufficient to ensure that a worker descending the escape line can stop six metres from the ground anchor point;
- (b) an escape line is clearly marked and protected from physical damage;
- (c) an escape line is visually inspected by a competent person at least once a week; and
- (d) a path of escape is kept free of obstruction.

(4) An employer, contractor or owner shall ensure that no worker is required or permitted to slide down a pipe, tube, rod, kelly, cable or rope line on a derrick except in an emergency.

4 Oct 96 cO-1.1 Reg 1 s422.

Full-body harness

423 An employer, contractor or owner shall ensure that a worker who is working on a rig at a height of three metres or more above the derrick floor or other working surface uses an approved full-body harness that meets the requirements of Part VII.

4 Oct 96 cO-1.1 Reg 1 s423.

Fuel storage

424 An employer, contractor or owner shall ensure that:

- (a) no gasoline or liquid fuel, other than diesel fuel or fuel in the tank of an operating machine, is stored within 20 metres of a well; and
- (b) any drainage from a fuel storage container on a worksite runs in a direction away from the well.

4 Oct 96 cO-1.1 Reg 1 s424.

Pressure relief devices

425(1) An employer, contractor, owner or supplier shall ensure that every drilling fluid pump and servicing fluid pump is equipped with a pressure relief device in accordance with this section.

(2) A pressure relief device must be installed on the discharge side of a positive displacement drilling fluid pump or servicing fluid pump.

(3) There must not be a valve between a drilling service pump or servicing fluid pump and a pressure relief device.

(4) A pressure relief device must be set to discharge at a pressure not in excess of the maximum working pressure for which the drilling fluid pump or servicing fluid pump and the connecting pipes and fittings have been designed.

(5) A pressure relief device and its components must be of a design and strength specified in the manufacturer's design specifications for the pressure relief device.

(6) An employer, contractor or owner shall ensure that fluids or materials discharged through a pressure relief device are piped to a place where they will not endanger workers.

(7) The diameter of piping connected to the pressure side and discharge side of a pressure relief device must not be smaller than the diameter of the openings to the device.

- (8) The piping on the discharge side of a pressure relief device must be:
 - (a) secured to prevent movement; and
 - (b) sloped to drain fluids away from the discharge outlet.
- (9) A mud gun used for jetting must be securely anchored.
- (10) Valves of the quick closing type must not be used on the discharge line from a drilling fluid pump or servicing fluid pump.
- (11) An employer, contractor or owner shall ensure that a drilling fluid pump or servicing fluid pump is protected against freezing.
- (12) An employer, contractor or owner shall ensure that a fluid pump using a pressure relief device is routinely inspected by a competent person to ensure the pressure relief device is in good operating condition.

4 Oct 96 cO-1.1 Reg 1 s425.

Catheads

- 426(1) On and after July 1, 1997, an employer, contractor or owner shall ensure that no worker is required or permitted to use rope-operated friction catheads for hoisting on a rig.
- (2) An employer, contractor or owner shall ensure that every automatic cathead is equipped with a separate control unless:
 - (a) the cathead is equipped with dual purpose controls; and
 - (b) a locking device is installed to prevent one cathead from being engaged accidentally while the other cathead is in operation.
 - (3) With respect to the use of rope-operated friction catheads for hoisting before July 1, 1997, an employer, contractor or owner shall ensure that:
 - (a) a cathead on which a rope is manually operated is equipped with a blunt, smooth-edged rope divider;
 - (b) the clearance between the rope divider and the friction surface of a cathead does not exceed seven millimetres;
 - (c) every key seat and projecting key on a cathead is covered with a smooth thimble or plate;
 - (d) there is clearance of at least 500 millimetres between the outer flange of a cathead and any substructure, guardrail or wall;
 - (e) a competent worker attends the drawworks control while a cathead is in use; and
 - (f) the operating area of a manually operated cathead is kept clear at all times and the portion of the rope or line not being used is kept coiled or spooled.

(4) With respect to the use of rope-operated friction catheads for hoisting before July 1, 1997:

- (a) the operator of a friction cathead shall keep the operating area clear at all times and keep coiled or spooled the portion of the rope or line that is not in use; and
- (b) no operator of a friction cathead shall:
 - (i) leave a rope or line wrapped around or in contact with an unattended cathead; or
 - (ii) allow a splice to come in contact with the friction surface of the cathead.

4 Oct 96 cO-1.1 Reg 1 s426.

Spudding in

427 An employer, contractor or owner shall ensure that spudding in is not begun until:

- (a) all safeguards required by these regulations are in place;
- (b) all platforms, stairways, handrails and guardrails are installed and securely fastened in position; and
- (c) the auxiliary escape line required by section 422 is installed and inspected.

4 Oct 96 cO-1.1 Reg 1 s427.

Operating controls

428(1) An employer, contractor, owner or supplier shall ensure that:

- (a) all operating controls of a rig are installed at the operator control panel and clearly labelled as to the function of the control;
 - (b) where there is a danger of any operating control being engaged by accidental contact, the controls are protected by a safeguard;
 - (c) an engine shut-down device is installed at the operator control panel; and
 - (d) all hoist controls are designed to return to the neutral position when released.
- (2) A worker who is in charge of the operating controls of the drawworks shall ensure that all other workers are clear of the equipment and lines before putting the drawworks in motion.

4 Oct 96 cO-1.1 Reg 1 s428.

Travelling blocks

429 An employer, contractor, owner or supplier shall ensure, with respect to a travelling block, that:

- (a) every hook to which equipment is directly or indirectly attached is equipped with a positive locking device to prevent accidental release of the load being hoisted or lowered;
- (b) the travelling block and every hook, elevator, elevator link and unit of travelling equipment is free of any projecting bolt, nut, pin or part;
- (c) an upward travel limiting device is installed on every rig and tested once during each shift; and
- (d) the upward travel limiting device mentioned in clause (c) disengages the power to the hoisting drum and applies the brakes to prevent the travelling block from contacting the crown structure.

4 Oct 96 cO-1.1 Reg 1 s429.

Counterweights

430 An employer, contractor or owner shall ensure that no counterweight comes within 2.3 metres of the derrick floor unless the counterweight is fully encased and running in permanent guides.

4 Oct 96 cO-1.1 Reg 1 s430.

Weight indicators

431 An employer, contractor or owner shall ensure that:

- (a) the hoist mechanism of a rig is equipped with a reliable weight indicator; and
- (b) a weight indicator mentioned in clause (a) that is hung above the derrick floor is secured against falling by means of a secondary cable or chain.

4 Oct 96 cO-1.1 Reg 1 s431.

Drawworks

432(1) On and after July 1, 1997, an employer, contractor or owner shall ensure that the drawworks on every drilling rig is equipped with an automatic feed control.

(2) An employer, contractor or owner shall ensure, with respect to the drawworks on a rig, that:

- (a) the mechanism installed or used to hold down the brakes in the engaged position is designed to prevent accidental disengagement;
- (b) a competent person tests the brakes at the beginning of each shift and inspects the brakes at least weekly to ensure that they are in good working order; and
- (c) controls are not left unattended while the hoist drum is in motion except during drilling.

(3) In the case of a drawworks that is not equipped with an automatic feed control and that is operated before July 1, 1997, an employer, contractor or owner shall ensure that the brakes are not left unattended without first being secured in the engaged position.

4 Oct 96 cO-1.1 Reg 1 s432.

Drill pipes, tubing, etc.

433(1) Where a drill pipe, drill collar or tubing is racked in a derrick, an employer, contractor or owner shall ensure that provision is made for the complete drainage of fluids or gases from the drill pipe, drill collar or tubing.

(2) An employer, contractor or owner shall ensure that a drill pipe, drill collar, tubing, casing or rod that is racked in a derrick is secured to prevent it from falling.

(3) Before running a drill pipe, drill collar, tubing or casing in a wellbore, an employer, contractor or owner shall ensure that the drill pipe, drill collar, tubing or casing is free from ice plugs or other obstructions.

4 Oct 96 cO-1.1 Reg 1 s433.

Material racks

434(1) An employer, contractor, owner or supplier shall ensure that material racks are designed and constructed to prevent material from rolling off the rack.

(2) An employer, contractor, owner or supplier shall ensure that workers:

(a) transfer to and from storage, move and handle material in a controlled and safe manner; and

(b) hoist material into and out of a derrick in a controlled and safe manner.

4 Oct 96 cO-1.1 Reg 1 s434.

Rotary tongs

435 An employer, contractor, owner or supplier shall ensure that a rotary tong is provided with:

(a) a primary safety device to prevent uncontrolled movement of the tong; and

(b) a secondary safety device that will prevent uncontrolled movement of the tong if the primary device fails.

4 Oct 96 cO-1.1 Reg 1 s435.

Rotary tables

436(1) Where visibility on the derrick floor is obscured, an employer, contractor or owner shall ensure that no worker works on a derrick floor while the rotary table is in motion.

(2) An employer, contractor or owner shall ensure that rotary table motion is not used for the final make up or initial breaking out of a pipe connection.

- (3) An employer, contractor or owner shall not require or permit a worker:
 - (a) to handle or use hoses, lines or chains near a rotary table while the rotary table is in motion; or
 - (b) to engage a rotary table drive until all workers and materials are clear of the rotary table.
- (4) No worker shall:
 - (a) handle or use hoses, lines or chains near a rotary table while the rotary table is in motion; or
 - (b) engage a rotary table drive until all workers and materials are clear of the rotary table.

4 Oct 96 cO-1.1 Reg 1 s436.

Exits from enclosures

437 On a drilling rig, an employer, contractor or owner shall ensure that:

- (a) safe exits from a derrick floor enclosure to ground level are provided on at least three sides of the derrick floor;
- (b) all doors of a derrick floor enclosure open away from the wellbore and, where reasonably practicable, onto a platform that leads to a stairway;
- (c) one stairway is installed from the ground to the derrick floor beside the ramp; and
- (d) pump house and boiler house enclosures have at least two exits that lead in different directions to the outside.

4 Oct 96 cO-1.1 Reg 1 s437.

Rig tanks or pits

438 An employer, contractor or owner shall ensure that a rig tank or pit used to circulate drilling fluids contaminated with flammable material is protected from all sources of ignition.

4 Oct 96 cO-1.1 Reg 1 s438.

Drill stem testing

439 During drill stem testing, an employer, contractor or owner shall ensure that:

- (a) if fluids are encountered, the mud can and test plug are used on every joint of pipe that is disconnected unless the drill stem contents have been pumped out and replaced with drilling fluid;
- (b) motors and engines that are not required in the testing operation are shut off;
- (c) no motor vehicle is operated within 25 metres of the wellbore;

- (d) where swivel joints are used in the piping system, the source and discharge ends of the piping system are secured in a manner that will prevent whipping and flailing of the pipe if the pipe separates from the source or discharge connection;
- (e) where hydrocarbons or hydrogen sulphide may accumulate, hydrogen sulphide and hydrocarbon monitors are installed, with the readouts clearly visible to the driller on the derrick floor;
- (f) the hydrogen sulphide monitor is capable of detecting hydrogen sulphide at a concentration of 14 milligrams per cubic metre of air, is calibrated and tested before use and is properly maintained;
- (g) where hydrogen sulphide or hydrocarbons are found to be present at levels that may place a worker at risk, the formation fluids in the drill stem are replaced with drilling fluid and circulated to a flare pit or holding tank that is not less than 45 metres from the well;
- (h) a tank level alarm that is clearly audible to the driller on the derrick floor or a tank level indicator is installed on the trip tank and is properly maintained;
- (i) a tank level indicator mentioned in clause (h) has a read-out that is clearly visible to the driller on the derrick floor; and
- (j) before tripping the drill pipe out of the hole, reverse circulation procedures are implemented.

4 Oct 96 cO-1.1 Reg 1 s439.

Swabbing

440 During swabbing operations using a well servicing rig, an employer, contractor or owner shall ensure that:

- (a) fluids containing hydrocarbons that are used in or result from the swabbing operation are piped directly through a suitable degasser to a battery, skid tank, mobile trailer tank or tank truck located not less than 45 metres from the wellbore; and
- (b) while fluids that are used in or result from the swabbing operation are being piped into a tank truck, the engine of the tank truck is shut down and the driver does not remain in the truck cab.

4 Oct 96 cO-1.1 Reg 1 s440.

Well operation and servicing

441(1) During the servicing of a well, an employer, contractor or owner shall ensure that:

- (a) where a pump may be circulating gaseous hydrocarbons, the fluids entering the rig tank first pass through a degasser;
- (b) where a pump may be circulating gaseous hydrocarbons, the air intake and exhaust of the pump motor are located not less than six metres from the rig tank;

- (c) the tank truck is located on the far side of the rig tank from the wellbore and at a distance of not less than six metres from the rig tank during loading and unloading;
 - (d) carbon dioxide suction lines are secured to the supply vehicle and pumping unit; and
 - (e) adequate warning signs prohibiting the presence of workers are positioned along the discharge pipelines before pressurization begins.
- (2) Before fluids are unloaded into a wellhead, an employer, contractor or owner shall ensure that the lines between the pump and the wellhead are:
 - (a) designed and constructed to sustain the maximum anticipated pressure during service; and
 - (b) hydraulically pressure tested at a pressure that is not less than 10% above the maximum pressure anticipated during service.
- (3) An employer, contractor or owner shall ensure that:
 - (a) swivel joints used with a hammer union are properly secured and of sufficient strength to withstand the stresses to which the joints may be subjected;
 - (b) oil savers are equipped with controls that can be readily operated from the rig floor; and
 - (c) a bleed-off valve is installed between a check valve and the wellhead.

4 Oct 96 cO-1.1 Reg 1 s441.

Well stimulation

442(1) During well stimulation or any similar operation, an employer, contractor or owner shall ensure that:

- (a) where a working pressure of 2,000 kilopascals or more is applied to the piping system, equipment located between a pump or sand concentrator and the wellhead is controlled remotely from a location outside the potential danger area;
- (b) subject to subsection (2), no worker is required or permitted to enter the potential danger area while the system is pressurized;
- (c) where liquid carbon dioxide or liquid nitrogen is being used, the pumping unit is designed and positioned so that the valve controls can be operated from the low pressure side of the system;
- (d) a check valve is installed as close as is practicable to the wellhead except while cementing or selective acidizing is being done;

(e) where flammable fluids are being pumped during fracturing and acidizing treatment, approved and properly maintained fire suppression equipment is provided;

(f) the rubber mud line used on a cement pumper is not used in place of the kelly hose to break circulation; and

(g) all pumping units, blenders and endless tubing units are continuously bonded to ground.

(2) An employer, contractor or owner may permit a worker to enter the area between the check valve and the wellhead for the purpose of operating the bleed-off valve if the pumping motor is shut off before the worker enters the area.

4 Oct 96 cO-1.1 Reg 1 s442.

Shot holes

443 With respect to a shot hole drilling operation, an employer, contractor or owner shall ensure that a pipe wrench used as a break out tong is equipped with a suitable hand guard on the pipe wrench handle.

4 Oct 96 cO-1.1 Reg 1 s443.

Gas sample containers

444 An employer, contractor or owner shall ensure that containers and any piping and fittings used in the collection of gas samples are of sufficient strength to withstand all the pressure to which the containers, piping or fittings may be subjected and are designed, used and transported so as to prevent the accidental release of the contents.

4 Oct 96 cO-1.1 Reg 1 s444.

Piping systems at well sites

445 An employer, contractor or owner shall ensure that:

(a) a piping system at a well site is designed, constructed, installed, operated and maintained to contain safely any material at the maximum operating pressures anticipated; and

(b) all pipe and components used in the piping system meet the requirements of an approved standard.

4 Oct 96 cO-1.1 Reg 1 s445.

Breathing apparatus

446 At a rig, an employer, contractor or owner shall ensure that at least two atmosphere-supplying respirators that meet the requirements of section 90 are readily available for use in a rescue.

4 Oct 96 cO-1.1 Reg 1 s446.

First aid attendants

447 Notwithstanding section 54, an employer, contractor or owner shall ensure that at least one first aid attendant with a class A qualification is readily available on each shift at each rig.

4 Oct 96 cO-1.1 Reg 1 s447.

Procedures for flare tips, etc.

448 An employer, contractor or owner shall:

- (a) prepare and implement written procedures to ensure the safety of workers in the lighting or operation of a flare tip, flare stack or flare line used at a worksite; and
- (b) instruct all workers in the application of those procedures.

4 Oct 96 cO-1.1 Reg 1 s448.

Plan for well testing

449(1) An employer, contractor or owner shall develop and implement a written plan that establishes the procedures to be followed by workers who conduct well testing.

(2) A plan required by subsection (1) must include:

- (a) the responsibilities, qualifications and minimum number of testing personnel;
- (b) the requirements for personal protective equipment; and
- (c) start-up and operating procedures that are adequate to protect the health and safety of the workers.

(3) An employer, contractor or owner shall have a copy of the plan required by subsection (1) readily available for reference by workers.

4 Oct 96 cO-1.1 Reg 1 s449.

PART XXX

Additional Protection for Electrical Workers

Interpretation

450(1) In this Part:

- (a) **"approved"** means approved as defined in *The Electrical Inspection Act, 1993*;
 - (b) **"electrical equipment"** means electrical equipment as defined in *The Electrical Inspection Act, 1993*;
 - (c) **"electrical worker"**:
 - (i) in the case of work of electrical installation as defined in *The Electrical Inspection Act, 1993* that is regulated by that Act, means a person who is authorized pursuant to *The Electrical Licensing Act* to perform that work;
 - (ii) in the case of any work with electrical equipment that is not regulated by *The Electrical Inspection Act, 1993*, means a person who is qualified to perform that work;
 - (d) **"guarded"** means covered, shielded, fenced, enclosed or otherwise protected by suitable covers, casings, barriers, rails, screens, mats, platforms or other equally effective means;
 - (e) **"high voltage"** means any voltage over 750 volts;
 - (f) **"lamp"** means an artificial source of electric light;
 - (g) **"luminaire"** means a complete lighting unit that is designed to accommodate a lamp and to connect the lamp to an electrical power supply;
 - (h) **"readily accessible"** means capable of being reached quickly for operation, renewal, or inspection, without requiring a worker to climb over or remove obstacles or to resort to portable means of access.
- (2) Nothing in this Part shall be construed as authorizing:
- (a) the performance of work by a person if it is unlawful for the person to perform that work because of *The Electrical Licensing Act*, *The Apprenticeship and Trade Certification Act*, the regulations made pursuant to those Acts or any other Act or regulation;
 - (b) the use of electrical equipment if it is unlawful to use that equipment because of *The Electrical Inspection Act, 1993*, the regulations made pursuant to that Act or any other Act or regulation; or
 - (c) the performance of work in a particular manner if it is unlawful to perform the work in that manner because of *The Electrical Inspection Act, 1993*, the regulations made pursuant to that Act or any other Act or regulation.

Electrical workers

451(1) Subject to subsection (2), an employer or contractor shall permit only electrical workers to construct, install, alter, repair or maintain electrical equipment.

(2) An employer or contractor may permit a competent worker who is not an electrical worker:

- (a) to operate powered mobile equipment and perform non-electrical work on or near de-energized electrical equipment;
- (b) to extend a portable power cable for routine advancement by interconnection of approved cord connectors, cord caps or similar devices;
- (c) to change light bulbs or tubes;
- (d) to insert or replace an approved fuse, to a maximum of 750 volts, that controls circuits or equipment; or
- (e) to connect small portable electrical equipment that operates at less than 750 volts to supply circuits by means of attachment plugs, where the connection does not overload the circuit conductors, or to use or operate small portable electrical equipment that is connected in that way.

4 Oct 96 cO-1.1 Reg 1 s451.

Electrical equipment

452(1) An employer or contractor shall ensure that only approved electrical equipment is used by workers and that the electrical equipment is:

- (a) approved for the intended use and location of the electrical equipment;
- (b) maintained in proper working condition and capable of safe operation; and
- (c) tested in accordance with the manufacturer's recommendations.

(2) Where defects or unsafe conditions have been identified in electrical equipment, an employer or contractor:

- (a) shall ensure that:
 - (i) steps are taken immediately to protect the health and safety of any worker who may be at risk until the defects are repaired or the unsafe conditions are corrected; and
 - (ii) the defects are repaired or the unsafe conditions are corrected as soon as is reasonably practicable; or
- (b) shall ensure that the electrical equipment is disconnected and removed from use.

4 Oct 96 cO-1.1 Reg 1 s452.

Covers for switches, receptacles, connections, etc.

453 An employer or contractor shall ensure that:

- (a) all switches, receptacles, luminaires and junction boxes are fitted with a cover that is approved for the intended use and location of the cover;
- (b) all wire joints or connections are:
 - (i) fitted with an approved cap or other approved cover;
 - (ii) enclosed in an approved box; or
 - (iii) where the wire joints or connections are not permanently installed, protected from damage by another approved means; and
- (c) all dead, abandoned or disused electrical conductors or equipment are removed from the place of employment or disconnected and secured to prevent inadvertent energization.

4 Oct 96 cO-1.1 Reg 1 s453.

Electrical equipment in tunnel or manhole

454 Where electrical equipment is installed in a tunnel or manhole, an employer or contractor shall ensure, where reasonably practicable, that:

- (a) the tunnel or manhole is kept clear of water; and
- (b) the electrical equipment is protected from physical or mechanical damage.

4 Oct 96 cO-1.1 Reg 1 s454.

Luminaires

455 An employer or contractor shall ensure that a luminaire that is located at a height of less than 2.1 metres above a working or walking surface is protected against physical or mechanical damage by installation of a safeguard or the location of the luminaire.

4 Oct 96 cO-1.1 Reg 1 s455.

Extension and power supply cords

456 An employer or contractor shall ensure that an electrical extension or power supply cord used for supplying energy to any electrical equipment:

- (a) is approved for the intended use and location of the electrical extension or power supply cord;
- (b) is fitted with approved cord end attachment devices that are installed in an approved manner;
- (c) is provided with a grounding conductor; and
- (d) is maintained and protected from physical or mechanical damage.

4 Oct 96 cO-1.1 Reg 1 s456.

Portable power cables and cable couplers

457(1) An employer or contractor shall ensure that every portable power cable and cable coupler is:

- (a) protected from physical or mechanical damage; and
 - (b) inspected by a competent person at intervals that are sufficient to protect the health and safety of workers.
- (2) An employer or contractor shall ensure that:
- (a) where any unsafe condition is identified in a portable power cable or cable coupler, the portable power cable or the cable coupler is repaired or taken out of service; and
 - (b) every splice in a portable power cable is sufficiently strong and adequately insulated to retain the mechanical and dielectric strength of the original cable.
- (3) A worker shall take all reasonably practicable steps not to drive equipment over, or otherwise damage, a portable power cable or cable coupler.

4 Oct 96 cO-1.1 Reg 1 s457.

Portable luminaires

458(1) Where a portable luminaire is used, an employer or contractor shall ensure that:

- (a) the electrical extension cord and fittings are approved for the intended use and location of the extension cord and fittings and are properly maintained; and
 - (b) the electrical extension cord is not used to supply power to any equipment other than the portable luminaire unless the cord meets the requirements of section 456.
- (2) An employer or contractor shall ensure that a portable luminaire used in a damp location or in a metallic enclosure, including a drum, tank, vessel or boiler:
- (a) is operated at a potential of not more than 12 volts; or
 - (b) is supplied by a circuit that is protected by a class A ground fault circuit interrupter.

4 Oct 96 cO-1.1 Reg 1 s458.

Exposed metal parts

459 An employer or contractor shall ensure that every exposed metal part of portable electrical equipment that is not designed to carry electrical current is connected to ground unless:

- (a) the electrical equipment is of an approved, double-insulated type and is clearly marked as such;
- (b) power is supplied to the equipment through an isolating transformer having a non-grounded secondary of not more than 50 volts potential;
- (c) power is supplied to the equipment through a class A ground fault circuit interrupter; or
- (d) power is supplied to the equipment from a battery of not over 50 volts potential.

4 Oct 96 cO-1.1 Reg 1 s459.

Portable electric power plants

460(1) An employer, contractor or supplier shall ensure that:

- (a) a portable electric power plant that is operated at voltages exceeding 240 volts to ground or is rated in excess of 12.0 kilovolt-amperes is connected to ground in a manner approved pursuant to *The Electrical Inspection Act, 1993*; and
- (b) all electrical equipment connected to an ungrounded portable electric power plant:
 - (i) is of the double insulated type; and
 - (ii) is clearly marked as being of the double insulated type or is supplied from a class A ground fault interrupting device.

(2) Subsection (1) does not apply if the electrical energy is used for electric arc welding.

10 Aug 2007 SR 67/2007 s31.

Electrical panels

461 An employer or contractor shall ensure that every electrical panel is:

- (a) approved for the intended use and location of the electrical panel;
- (b) protected from physical or mechanical damage;
- (c) readily accessible; and
- (d) fitted with an approved cover that has an approved filler in any unused opening.

4 Oct 96 cO-1.1 Reg 1 s461.

High voltage switchgear and transformers

462(1) An employer or contractor shall ensure that a place where electrical switchgear or transformers operating at high voltage are housed is:

- (a) guarded;
- (b) kept free of extraneous material; and
- (c) adequately ventilated.

(2) Where high voltage switchgear or transformers are housed, an employer or contractor shall post a warning sign that:

- (a) indicates the highest voltage in use; and
- (b) states that access is restricted to authorized persons only.

4 Oct 96 cO-1.1 Reg 1 s462.

Fire extinguishers

463 An employer or contractor shall ensure that a fire extinguisher approved for Class C fires is readily available to workers working on or near energized high voltage electrical equipment.

4 Oct 96 cO-1.1 Reg 1 s463.

Grounding of equipment before work begins

464 Before any work, other than work to which subsection 465(4) applies, begins on an electrical conductor or electrical equipment and during the progress of that work, an employer or contractor shall ensure that:

- (a) the electrical conductor or electrical equipment is isolated, locked out and connected to ground; or
- (b) other effective procedures are taken to ensure the safety of the workers.

4 Oct 96 cO-1.1 Reg 1 s464.

Proximity to exposed energized high voltage electrical conductors

465(1) In this section:

- (a) **"applied science technologist"** means an applied science technologist who is registered pursuant to *The Saskatchewan Applied Science Technologists and Technicians Act* and whose registration has not been suspended or cancelled;
- (b) **"certified technician"** means a certified technician who is registered pursuant to *The Saskatchewan Applied Science Technologists and Technicians Act* and whose registration has not been suspended or cancelled;

- (c) **"qualified electrical worker"** means:
- (i) the holder of a journeyperson's certificate in the electrician trade issued pursuant to *The Apprenticeship and Trade Certification Act, 1999*, and includes an apprentice in the trade while under the supervision of a journeyperson;
 - (ii) the holder of a journeyperson's certificate in the power lineperson trade issued pursuant to *The Apprenticeship and Trade Certification Act, 1999*, and includes an apprentice in the trade while under the supervision of a journeyperson; or
 - (iii) for the purpose of design, calibrating of equipment, inspection, monitoring, testing, and commissioning of equipment in high voltage installations, electrical engineers, applied science technologists or certified technicians who have achieved professional certification within an electrical, electronics, industrial or instrumentation discipline;
- (d) **"utility tree trimmer"** means a person who has successfully completed a course that has been approved for the purposes of this section.
- (1.1) An employer or contractor shall ensure that a qualified electrical worker has had approved training in high voltage safety.
- (1.2) No qualified electrical worker shall undertake high voltage electrical work unless the worker:
- (a) has written proof of approved training in high voltage electrical safety; and
 - (b) has that written proof of approved training readily accessible at all times while working near energized high voltage electrical conductors.
- (2) Except as otherwise provided in this section, an employer or contractor shall ensure that no worker works, no material is piled, stored or handled, no scaffold is erected or dismantled and no equipment or powered mobile equipment is used or operated within the minimum distance from any exposed energized electrical conductor set out in column 1 of Table 22 of the Appendix.
- (2.1) Subsection (2) does not apply to a worker who is undertaking a specific one-time activity under the direct supervision of a qualified electrical worker.
- (3) An employer or contractor shall ensure that no worker who is at ground potential approaches an exposed energized electrical conductor closer than the minimum distance set out in column 2 of Table 22 of the Appendix.
- (4) An employer or contractor shall ensure that only a qualified electrical worker works closer to an exposed energized electrical conductor than the minimum distance set out in column 2 of Table 22 of the Appendix.

(5) Where a qualified electrical worker works closer to an exposed energized electrical conductor than the minimum distance set out in column 2 of Table 22 of the Appendix, an employer or contractor shall ensure that:

(a) the qualified electrical worker:

(i) performs the work in accordance with written instructions for a safe work procedure that have been developed and signed by a competent person who has been appointed by the employer or contractor for that purpose;

(ii) uses equipment that is approved for the intended use of the equipment; and

(iii) uses personal protective equipment that meets the requirements of Part VII; or

(b) the conductor is operating at 25 kilovolts or less and is fitted with rubber and rubber-like insulating barriers that meet the requirements of an approved standard.

(6) An employer or contractor shall ensure that no part of a vehicle is operated on a public road, highway, street, lane or alley within the minimum distance from an exposed energized electrical conductor set out in column 3 of Table 22 of the Appendix and that no part of a vehicle's load comes within the minimum distance.

(7) An employer or contractor shall ensure that no utility tree trimmer works within the minimum distance from an exposed energized electrical conductor set out in:

(a) column 4 of Table 22 of the Appendix for utility tree trimmers using conducting objects exposed to energized parts;

(b) column 5 of Table 22 of the Appendix for utility tree trimmers using rated tools exposed to energized parts;

(c) column 6 of Table 22 of the Appendix for utility tree trimmers using rated insulating booms.

4 Oct 96 cO-1.1 Reg 1 s465; 10 Aug 2007 SR 67/
2007 s32.

Exposed energized electrical conductors operating at certain voltages

466 Where work is being carried out in proximity to exposed energized electrical conductors operating at 31 to 750 volts, an employer or contractor shall ensure that the work is carried out so that accidental contact with the energized electrical conductor by any worker is prevented.

4 Oct 96 cO-1.1 Reg 1 s466.

Emergency program

467(1) Where an electrical worker may come in contact with an exposed energized electrical conductor and that contact may affect the health or safety of the worker, an employer or contractor shall develop and implement an emergency program that sets out the procedures to be followed in the event of that contact.

(2) An emergency program developed pursuant to subsection (1) must include procedures:

- (a) to rescue a worker who has come into contact with a live conductor;
- (b) to administer first aid to a worker who has sustained an electric shock; and
- (c) to obtain medical assistance.

(3) An employer or contractor shall ensure that the workers are adequately trained to implement the emergency program.

4 Oct 96 cO-1.1 Reg 1 s467.

PART XXXI**Additional Protection for Health Care Workers****Interpretation**

468 In this Part:

- (a) **“contaminated laundry”** means laundry that has been contaminated by waste;
- (b) **“health care facility”** means:
 - (i) a facility for which a licence is required pursuant to *The Housing and Special-care Homes Act*;
 - (ii) a facility for which a licence or certificate of approval is required pursuant to *The Residential Services Act*;
 - (iii) a facility for which a licence is required pursuant to *The Personal Care Homes Act*;
 - (iv) a facility within the meaning of *The Mental Health Services Act*;
 - (v) a hospital, nursing home or institution approved pursuant to *The Hospital Standards Act* or any former *Hospital Standards Act*;
 - (vi) a clinic within the meaning of *The Cancer Foundation Act*;
 - (vii) a medical laboratory within the meaning of *The Medical Laboratory Licensing Act* or *The Medical Laboratory Licensing Act, 1994*;

(viii) with respect to the delivery of services within the meaning of *The Health Districts Act* or the operation of a facility within the meaning of that Act:

(A) a district health board;

(B) a health corporation; or

(C) any other provider of services within the meaning of that Act;

(ix) a laundry facility that is located in, or that provides services to, a facility listed in subclauses (i) to (vii) or that is operated by a body listed in subclause (viii);

(x) an ambulance service within the meaning of *The Ambulance Act*;

(xi) an air ambulance service within the meaning of *The Ambulance Act*;

(xii) a home care service within the meaning of *The Home Care Act*;

(xiii) a medical office or medical clinic;

(xiv) a dental office or dental clinic;

(xv) a veterinary office or veterinary clinic;

(xv.1) a blood collection agency; or

(xvi) any other place of employment that provides testing, diagnosis, treatment or care to a patient, resident or client for the purpose of improving or maintaining the physical or mental health of the patient, resident or client;

(c) "waste" means any biomedical or pharmaceutical material or substance that may be hazardous to the health or safety of a worker and that requires special handling precautions, decontamination procedures or disposal, and includes:

(i) human anatomical waste;

(ii) animal anatomical waste;

(iii) microbiological laboratory waste;

(iv) blood and body fluid waste; and

(v) used or contaminated needles, syringes, blades, clinical glass and other clinical items that are capable of causing a cut or puncture.

4 Oct 96 cO-1.1 Reg 1 s468; 4 Nov 2005 SR 112/2005 s5.

Application of Part

469 This Part applies to health care facilities.

4 Oct 96 cO-1.1 Reg 1 s469.

Additional requirements re supervisors in health care facilities

469.1(1) In addition to the requirements of section 17, an employer, contractor or owner shall appoint competent persons to supervise at the place of employment.

(2) An employer, contractor or owner shall ensure that every supervisor appointed pursuant to subsection (1) is knowledgeable about, and experienced in the following matters that are within the area of the supervisor's responsibility:

- (a) safe work practices and procedures, including the use of engineering controls in use at the place of employment;
- (b) the safe handling, use and storage of hazardous substances;
- (c) techniques for safely mobilizing, lifting, holding, turning, positioning and transferring patients, residents and clients;
- (d) the handling, use, maintenance and storage of personal protective equipment;
- (e) the appropriate response to any emergency situation at the place of employment.

(3) An employer, contractor or owner shall ensure that every supervisor appointed pursuant to subsection (1) is knowledgeable in the following matters that are within the area of the supervisor's responsibility:

- (a) the duties and responsibilities of all workers being supervised by the supervisor;
- (b) the training of workers under the supervision of the supervisor in safe work practices and procedures.

(4) An employer, contractor or owner who has appointed a supervisor pursuant to subsection (1) shall ensure that all workers and self-employed persons who work at the place of employment and who are to be supervised by that supervisor are informed of the name of the supervisor.

21 Sep 2007 SR 91/2007 s4.

Patient moving and handling

470(1) Where workers are required or permitted to mobilize, lift, hold, turn, position or transfer patients, residents or clients, an employer:

- (a) in consultation with the committee, shall develop a written program specifying:
 - (i) the procedures to be used by a competent person to assess whether a patient, resident or client requires assistance to move; and
 - (ii) subject to subsection (2), the procedures and techniques that workers must use when mobilizing, lifting, holding, turning, positioning or transferring a patient, resident or client under all reasonably foreseeable circumstances;
- (b) shall implement the program developed pursuant to clause (a);
- (c) shall make readily available for reference by workers a copy of the program developed pursuant to clause (a);

(d) where the program developed pursuant to clause (a) and implemented pursuant to clause (b) requires the use of equipment, shall provide equipment, sufficient in quantity, capacity and quality to protect the health and safety of workers, to assist with mobilizing, lifting, holding, turning, positioning or transferring patients, residents or clients;

(e) in consultation with the committee, shall develop a written plan respecting the ongoing evaluation and selection of the equipment mentioned in clause (d);

(f) shall consult with workers who use the equipment mentioned in clause (d) on the ongoing evaluation and selection of that equipment;

(g) shall ensure that workers use, and that competent persons maintain, the equipment mentioned in clause (d) according to the manufacturer's recommendations;

(h) shall ensure that a preventative maintenance program for the equipment mentioned in clause (d) is implemented that meets the manufacturer's recommendations; and

(i) shall ensure that workers:

(i) are instructed in the causes of injuries resulting from mobilizing, lifting, holding, turning, positioning or transferring patients, residents or clients and the means to prevent those injuries;

(ii) subject to subsection (2) and in addition to the requirements of section 19, are trained in, and use, the procedures and techniques of mobilizing, lifting, holding, turning, positioning and transferring patients, residents or clients as described in subclause (a)(ii); and

(iii) are trained in the use of the equipment mentioned in clause (d) that the workers will be expected to use at the worksite.

(2) The procedures and techniques mentioned in subclauses (1)(a)(ii) and (i)(ii) must be consistent with the requirements set out in section 81.

(3) Where a patient, resident or client has been assessed as requiring assistance to move, an employer shall:

(a) ensure that the status of the patient, resident or client and the appropriate techniques to mobilize, lift, hold, turn, position or transfer the patient, resident or client are clearly identified in writing or by other visual means at or near the location of the patient, resident or client; and

(b) where the technique specified in clause (a) requires more than one worker or the use of equipment, ensure that the number of workers needed and the equipment to be used are also clearly specified in writing or by other visual means at or near the location of the patient, resident or client.

(4) An employer, in consultation with the committee, shall review all injuries resulting from mobilizing, lifting, holding, turning, positioning or transferring patients, residents or clients to determine the causes of the injuries.

(5) An employer shall take appropriate action to prevent the occurrence of injuries similar to an injury reviewed pursuant to subsection (4).

(6) Where a program developed pursuant to clause (1)(a) and implemented pursuant to clause (1)(b), or a technique identified in subsection (3), specifies the use of equipment or the assistance of another worker, no employer shall require or permit a worker to mobilize, lift, hold, turn, position or transfer a patient, resident or client without the use of the device or the assistance of the other worker.

(7) Except in a life-threatening emergency, the employer shall not require or permit a worker to mobilize, lift, hold, turn, position or transfer a patient, resident or client until the patient, resident or client has been assessed pursuant to the program developed pursuant to clause (1)(a) and implemented pursuant to clause (1)(b).

21 Sep 2007 SR 91/2008 s5.

Cytotoxic drugs

471(1) In this section, "**cytotoxic drugs**" means drugs that inhibit or prevent the functions of cells and are manufactured, sold or represented for use in treating neoplastic or other conditions.

(2) An employer shall take all practicable steps to minimize the exposure of workers to cytotoxic drugs or to materials or equipment contaminated with cytotoxic drugs.

(3) On and after July 1, 1998, where workers prepare parenteral cytotoxic drugs on a frequent and continuing basis, an employer shall provide and maintain an approved biological safety cabinet in accordance with subsection (4) and ensure that workers use the cabinet safely.

(4) A biological safety cabinet must be:

- (a) inspected and certified by a competent person at least annually and when the biological safety cabinet is moved; and
- (b) used and maintained according to an approved procedure or the manufacturer's recommendations.

(5) Where workers are required to prepare, administer, handle or use cytotoxic drugs or are likely to be exposed to cytotoxic drugs, an employer, in consultation with the committee, shall develop a written program to protect the health and safety of workers who may be exposed to cytotoxic drugs or to materials or equipment contaminated with cytotoxic drugs.

(6) A program developed pursuant to subsection (5) must include:

- (a) the measures to be taken to identify, store, prepare, administer, handle, use, transport and dispose of cytotoxic drugs and materials contaminated with cytotoxic drugs;
- (b) the emergency steps to be followed in the event of:
 - (i) a spill or leak of a cytotoxic drug; or
 - (ii) worker exposure to cytotoxic drugs by a puncture of the skin, absorption through the skin, contact with an eye, inhalation of drug dust or ingestion of a contaminated substance;
- (c) the methods to be followed in maintaining and disposing of equipment contaminated with cytotoxic drugs;

(d) the use to be made of engineering controls, work practices, hygiene practices and facilities, approved respiratory protective devices, approved eye or face protectors and other personal protective equipment and decontamination materials and equipment that are appropriate in the circumstances; and

(e) the use to be made of an approved biological safety cabinet for the preparation of cytotoxic drugs and the methods to be followed in maintaining the cabinet.

(7) An employer shall:

(a) implement the program developed pursuant to subsection (5);

(b) ensure that all workers who may be exposed to cytotoxic drugs or to materials or equipment contaminated with cytotoxic drugs are trained in the program; and

(c) make a copy of the program readily available for reference by workers.

4 Oct 96 cO-1, 1 Reg 1 s472.

Waste

472(1) Where exposure to waste is likely to endanger the health or safety of a worker, an employer shall develop and implement a process that ensures that the waste:

(a) is segregated at the place where the waste is located or produced;

(b) is contained in a secure, clearly labelled package or container that holds the contents safely until it is cleaned, decontaminated or disposed of; and

(c) is cleaned, decontaminated or disposed of in a manner that will not endanger the health or safety of any worker.

(2) An employer shall ensure that:

(a) a worker or self-employed person who generates, collects, transports, cleans, decontaminates or disposes of waste or launders contaminated laundry is trained in safe work practices and procedures, and is provided with personal protective equipment, that are appropriate to the risks associated with the worker's work; and

(b) a worker or self-employed person described in clause (a) uses the safe work practices and procedures and the personal protective equipment mentioned in that clause.

4 Oct 96 cO-1, 1 Reg 1 s472.

Equipment contaminated with waste

473 An employer shall ensure that, where reasonably practicable, any equipment that has been contaminated with waste is inspected and decontaminated before it is repaired or shipped for repair.

4 Oct 96 cO-1, 1 Reg 1 s473.

Waste needles, etc.

474(1) An employer shall provide readily accessible containers for waste needles, syringes, blades, clinical glass and any other clinical items that are capable of causing a cut or puncture and shall ensure that workers and self-employed persons use those containers.

(2) The containers required by subsection (1) must:

- (a) have a fill line;
- (b) be clearly identified as containing hazardous waste; and
- (c) be sturdy enough to resist puncture under normal conditions of use and handling until the containers are disposed of.

(3) An employer shall ensure that workers do not manually clip, bend, break or recap waste needles.

4 Oct 96 cO-1.1 Reg 1 s474; 4 Nov 2005 SR 112/
2005 s6.

Selecting needle-safe devices

474.1(1) In this section and in section 474.2:

(a) **"contaminated"** means contaminated with:

- (i) human blood;
- (ii) fluids containing visible amounts of human blood;
- (iii) any of the following potentially infectious human bodily fluids:
 - (A) semen;
 - (B) vaginal secretions;
 - (C) cerebrospinal fluid;
 - (D) synovial fluid;
 - (E) pleural fluid;
 - (F) pericardial fluid;
 - (G) peritoneal fluid;
 - (H) amniotic fluid;
 - (I) saliva;
 - (J) breast milk;
- (iv) fluids from any unfixed tissue or organ, other than intact skin, from a human, living or dead;
- (v) cell, tissue or organ cultures, or other solutions, that may contain a human blood-borne infectious organism; or
- (vi) fluids from tissues of experimental animals infected with a blood-borne infectious organism from a human source;

(b) **"needles with engineered sharps injury protections"** means hollow bore needles or devices with hollow bore needles that:

- (i) are commercially available;
- (ii) are approved as medical devices by Health Canada;
- (iii) have a built-in safety feature or mechanism that eliminates or minimizes the risk of a percutaneous injury; and
- (iv) are used for purposes that include:
 - (A) withdrawing bodily fluids;
 - (B) accessing a vein or artery; and
 - (C) administering medications or other fluids;

(c) **"needleless system"** means a commercially available device approved as a medical device by Health Canada that replaces a hollow bore needle for use in:

- (i) the collection of bodily fluids;
- (ii) the withdrawal of bodily fluids after initial venous or arterial access is established;
- (iii) the administration of medication or fluids; or
- (iv) any other procedure in which it is reasonably anticipated that a worker could incur a percutaneous injury with a contaminated hollow bore needle;

(d) **"public health emergency"** means an occurrence or imminent threat of a significant risk to public health caused by:

- (i) an epidemic or pandemic disease; or
- (ii) a novel, highly fatal infectious agent or associated biological toxin.

(2) This section and section 474.2 apply:

- (a) to all health care facilities mentioned in clause 468(b) except those mentioned in subclauses 468(b)(xiii) and (xiv);
- (b) to a correctional facility as defined in *The Correctional Services Act*; and
- (c) to a youth custody facility as defined in the *Youth Criminal Justice Act* (Canada).

(3) Subject to subsection (4), on and after July 1, 2006, for tasks and procedures in which it is reasonably anticipated that a worker or self-employed person may incur a percutaneous injury from a contaminated hollow bore needle, the employer or contractor must:

- (a) identify, evaluate and select needles with engineered sharps injury protections or needleless systems, in consultation with representatives of those workers or self-employed persons who will use the selected device; and
- (b) ensure that the needles with engineered sharps injury protections and needleless systems selected pursuant to clause (a) are used.

(4) Subsection (3) does not apply:

- (a) if the employer or contractor can demonstrate that needles with engineered sharps injury protections or needleless systems pose an additional risk to the patient, worker or self-employed person;
- (b) to any biological or antibiotic product in an injection-ready needle device that is present in Saskatchewan on the day on which this section comes into force;
- (c) to any needles or needle devices that are obtained during a public health emergency for use in that emergency;
- (d) to needles or needle devices for use in a public health emergency that are stockpiled for use in a public health emergency and are present in Saskatchewan on the day on which this section comes into force; or
- (e) if a needle with engineered sharps injury protections or a needleless system requires Health Canada's approval for use in a national program, including blood collection and vaccination programs, until the earlier of:
 - (i) the day on which Health Canada approves a needle with engineered sharps injury protections or a needleless system for use in a national program; and
 - (ii) July 1, 2007.

4 Nov 2005 SR 112/2005 s7.

Injury log

474.2(1) An employer or contractor must maintain an injury log for all exposures involving a percutaneous injury with a sharp that may be contaminated.

(2) Entries in the injury log maintained pursuant to subsection (1) must:

- (a) protect the confidentiality of the exposed worker or self-employed person; and
- (b) contain at least the following information:
 - (i) the type and brand of the device involved in the exposure incident;
 - (ii) the department or work area in which the exposure occurred;
 - (iii) an explanation of how the exposure occurred.

4 Nov 2005 SR 112/2005 s7.

Contaminated laundry

475(1) An employer shall ensure that workers handle contaminated laundry as little as possible and with minimum agitation to prevent gross microbial contamination of the air and of any worker handling the laundry.

(2) At a laundry facility that is established or extensively renovated after the coming into force of these regulations, an employer shall ensure that the area where contaminated laundry is sorted is separated from the clean laundry area by one or more of the following:

- (a) a physical barrier;

- (b) a negative air pressure system in the contaminated laundry area;
- (c) a positive air flow from the clean laundry area through the contaminated laundry area.

4 Oct 96 cO-1.1 Reg 1 s475.

Anaesthetic gases

476 Where workers are required to handle or use anaesthetic gases and vapours or are likely to be exposed to anaesthetic gases and vapours, an employer shall:

- (a) develop safe work practices and procedures to eliminate or reduce the concentration of anaesthetic gases and vapours in the air of the room during the administration of the anaesthetic gases;
- (b) train workers in the safe work practices and procedures developed pursuant to clause (a) and ensure that the workers and self-employed persons use those safe work practices and procedures;
- (c) ensure that all anaesthetic gas hoses, connections, tubing, bags and associated equipment are inspected for leakage before each use and at least weekly;
- (d) ensure that any room where anaesthetic gases are administered is, where reasonably practicable, ventilated at a rate of 15 air changes per hour;
- (e) on or before January 1, 1998, install an effective waste anaesthetic gas scavenging system to collect, remove and dispose of waste anaesthetic gases and vapours;
- (f) except in birthing rooms where anaesthetic gas is self-administered, ensure that leakage from a waste anaesthetic gas scavenging system installed pursuant to clause (e) is less than 100 millilitres per minute when tested according to an approved standard; and
- (g) ensure that the waste anaesthetic gas scavenging system and the equipment used to administer anaesthetic gases are maintained.

4 Oct 96 cO-1.1 Reg 1 s476; 31 Jan 97 SR 6/97 s13.

Ethylene oxide sterilizers

477(1) In this section, “**CSA installation standard**” means the Canadian Standards Association standard CAN/CSA-Z314.9-M89 *Installation and Ventilation of Ethylene Oxide Sterilizers in Health Care Facilities*.

(2) An employer shall ensure, to the extent that is practicable, that all ethylene oxide sterilizers at a place of employment are operated and maintained in accordance with the CSA installation standard.

(3) An employer, in consultation with the committee, shall develop:

- (a) safe work practices and policies that meet the requirements of the CSA installation standard; and
- (b) an emergency response program to detect, control and respond to any leak or spill of ethylene oxide that meets the requirements of the CSA installation standard.

- (4) An employer shall:
- (a) implement the safe work practices and policies and the emergency response program developed pursuant to subsection (3); and
 - (b) ensure that workers who operate ethylene oxide sterilizers and workers who may come into contact with ethylene oxide:
 - (i) are trained in accordance with the CSA installation standard; and
 - (ii) follow the safe work practices and policies and the emergency response program developed pursuant to subsection (3).
- (5) An employer shall ensure that all areas where ethylene oxide is used or stored are posted with clearly legible signs that state "Ethylene Oxide Area, Potential Cancer and Reproductive Hazard, Authorized Personnel Only".
- (6) An employer shall ensure that all records of equipment maintenance and accidental ethylene oxide leakages are kept for five years in a log book located in the ethylene oxide sterilization area.
- (7) An employer shall ensure that an ethylene oxide sterilizer purchased after the coming into force of these regulations:
- (a) is constructed in accordance with the Canadian Standards Association standard CAN/CSA-Z314.1-M91 *Ethylene Oxide Sterilizers for Hospitals*;
 - (b) is installed in accordance with and meets the ventilation requirements of the CSA installation standard; and
 - (c) where reasonably practicable, is a sterilizer with in-chamber aeration that allows sterilization and aeration to take place without manually transferring the items that are being sterilized and aerated from one piece of equipment to another.
- (8) An employer shall ensure that portable ethylene oxide sterilizers are operated in a fume cabinet or placed in a self-contained room that is unoccupied during the sterilization process and is ventilated clear of the place of employment at a minimum rate of 10 air changes per hour to prevent the accumulation of the gas in the room.

4 Oct 96 cO-1.1 Reg 1 s477.

Review of programs, etc.

478 An employer, in consultation with the committee, shall ensure that all programs, training, work practices, procedures and policies developed pursuant to this Part are reviewed and, where necessary, revised at least every three years and whenever there is a change of circumstances that may affect the health or safety of workers.

4 Oct 96 cO-1.1 Reg 1 s478.

PART XXXII
Additional Protection for Fire Fighters

Interpretation**479 In this Part:**

- (a) **"emergency incident"** means the circumstances giving rise to a specific emergency operation;
- (b) **"emergency medical care"** means the provision of treatment to patients, including first aid, cardiopulmonary resuscitation, basic life support, advanced life support and other medical procedures that occur before arriving at a hospital or other health care facility;
- (c) **"emergency operation"** means the activities relating to rescue, fire suppression, emergency medical care and special operations, and includes the response to the scene of an incident and all functions performed at the scene;
- (d) **"evolution"** means a set of standard operating procedures that results in an effective response to an emergency incident;
- (e) **"fire fighter"** means a worker whose duties include:
 - (i) emergency operations, fire inspection and fire investigation; and
 - (ii) training for the activities mentioned in subclause (i);and includes a worker whose duties include directing any or all of the activities mentioned in subclauses (i) and (ii);
- (f) **"firefighting vehicle"** means a specialized vehicle that carries an assortment of tools and equipment for use by fire fighters in emergency operations;
- (g) **"fire suppression"** means the activities involved in controlling and extinguishing fires, including all activities performed at the scene of a fire incident or training exercise that expose fire fighters to the dangers of heat, flame, smoke and other products of combustion, explosion, or structural collapse;
- (h) **"rescue"** means activities directed at locating endangered persons at an emergency incident and removing those persons from danger, and includes treating the injured;
- (i) **"special operations"** means emergency incidents to which fire fighters respond that require specific and advanced training and specialized tools and equipment, and includes water rescue, confined space entry, high-angle rescue and incidents involving hazardous materials;
- (j) **"standard operating procedure"** means an operational directive prepared by an employer that establishes a standard course of action for the emergency incidents to which a fire fighter is required to respond;
- (k) **"structural firefighting"** means the activities of rescue, fire suppression and property conservation involving buildings, enclosed structures, vehicles, vessels, aircraft or other large objects that are involved in a fire or emergency incident.

Application of Part

480 This Part applies to fire fighters who are engaged in emergency operations on a full-time or part-time basis and their employers, but does not apply to:

- (a) fire fighters fighting prairie or forest fires that the department, as defined in *The Prairie and Forest Fires Act, 1982*:
 - (i) is responsible for, pursuant to subsection 8(2) of that Act; or
 - (ii) takes action to control and extinguish, pursuant to subsection 8(3) of that Act; or
- (b) fire fighters fighting fires underground at mines.

4 Oct 96 cO-1.1 Reg 1 s480.

Plan for response to emergency incident

481(1) An employer, in consultation with the committee, shall develop a written plan that establishes the procedures to be followed by fire fighters in response to an emergency incident.

(2) A plan required by subsection (1) must include:

- (a) identification of standard firefighting functions or evolutions, including functions or evolutions that must be performed simultaneously;
- (b) the minimum number of fire fighters required to perform safely each identified firefighting function or evolution, based on written standard operating procedures;
- (c) the number and types of firefighting vehicles and fire fighters required for the initial response to each type of emergency incident to which the fire fighters will be expected to respond;
- (d) the total complement of firefighting vehicles and fire fighters to be dispatched for each type of emergency incident;
- (e) a description of a typical emergency operation, including alarm time, response time, arrival sequence, responsibility for initiating standard operating procedures necessary to protect the health and safety of fire fighters;
- (f) an incident management system; and
- (g) a personnel accountability system.

(3) An employer shall:

- (a) ensure that the plan developed pursuant to subsection (1) is implemented; and
- (b) make a copy of the plan readily available for reference by fire fighters.

4 Oct 96 cO-1.1 Reg 1 s481.

Training of fire fighters

482(1) An employer shall ensure that:

- (a) all fire fighters receive the training necessary to ensure that the fire fighter is able to carry out safely any emergency operation that the fire fighter will be expected to carry out;
- (b) the training required by clause (a) is provided by competent persons; and
- (c) a written record is kept of all training delivered to fire fighters pursuant to this Part.

(2) An employer shall ensure that every firefighting vehicle is operated by a competent operator.

4 Oct 96 cO-1.1 Reg 1 s482.

General standards for vehicles and equipment

483 An employer, contractor or owner shall ensure that all firefighting vehicles and all equipment for use in emergency operations are designed, constructed, operated, maintained, inspected and repaired so as to protect adequately the health and safety of fire fighters.

4 Oct 96 cO-1.1 Reg 1 s483.

Securing of equipment, etc., in vehicles

484 Where equipment or personal protective equipment is carried within a seating area of a firefighting vehicle, an employer, contractor or owner shall ensure that:

- (a) the items of equipment are secured:
 - (i) by a positive mechanical means of holding the item in a stowed position; or
 - (ii) in a compartment with a positive latching door; and
- (b) the compartment mentioned in subclause (a)(ii) is designed to minimize injury to fire fighters in the seating area of the vehicle.

4 Oct 96 cO-1.1 Reg 1 s484.

Inspection of firefighting vehicles and equipment

485 An employer, contractor or owner shall ensure that:

- (a) all firefighting vehicles and firefighting equipment are inspected by a competent person for defects and unsafe conditions as often as is necessary to ensure that the vehicles and equipment are capable of safe operation;
- (b) where a defect or unsafe condition that may create a hazard to a fire fighter is identified in a firefighting vehicle or firefighting equipment:
 - (i) steps are taken immediately to protect the health and safety of any fire fighter who may be at risk until the defect is repaired or the unsafe condition is corrected; and
 - (ii) as soon as is reasonably practicable, the defect is repaired or the unsafe condition is corrected; and

- (c) a written record:
 - (i) is kept of all inspections carried out pursuant to clause (a);
 - (ii) is signed by the competent person who performs the inspection; and
 - (iii) is kept at the place of employment and is made readily available to the committee, the representative and the fire fighters.

4 Oct 96 cO-1.1 Reg 1 s485.

Repair of firefighting vehicles

486 An employer, contractor or owner shall ensure that:

- (a) all repairs to firefighting vehicles of defects or unsafe conditions that may put at risk the health or safety of fire fighters are made in accordance with the vehicle manufacturer's instructions and by qualified persons experienced with the type of vehicle or the type of work to be performed; and
- (b) a written record:
 - (i) is kept of all repairs made to a firefighting vehicle; and
 - (ii) is kept at the place of employment and is made readily available to the committee, the representative and the fire fighters.

4 Oct 96 cO-1.1 Reg 1 s486.

Transportation of fire fighters

487(1) Subject to subsection (3), an employer, contractor or owner shall ensure that:

- (a) all firefighting vehicles are provided with safe crew accommodations within the body of the vehicle and are equipped with properly secured seats and seat-belts;
 - (b) while a firefighting vehicle is transporting fire fighters, every fire fighter is seated and uses a seat-belt when the vehicle is in motion; and
 - (c) no fire fighter rides on the tailstep, side steps, running boards or in any other exposed position on a firefighting vehicle.
- (2) Where there is an insufficient number of seats available for the number of fire fighters who are assigned to or expected to ride on a firefighting vehicle, an employer, contractor or owner shall ensure that there is a safe alternate means of transportation for those fire fighters.
- (3) Clauses (1)(b) and (c) do not apply where a fire fighter is fighting a prairie, grassland or crop fire, and the employer, contractor or owner ensures that:
- (a) a restraining device is used to prevent the fire fighter from falling from the firefighting vehicle;
 - (b) an effective means of communication between the fire fighter and the operator of the firefighting vehicle is provided; and
 - (c) a fire fighter does not operate the firefighting vehicle at a speed that exceeds 20 kilometres per hour.

4 Oct 96 cO-1.1 Reg 1 s487.

Personal protective equipment

488 An employer, contractor or owner shall provide to a fire fighter who engages in or is exposed to the hazards of emergency operations, and ensure that the fire fighter uses, approved personal protective equipment that is appropriate to the nature of the risk to which the fire fighter will be exposed and that is adequate to protect the health and safety of the fire fighter.

4 Oct 96 cO-1.1 Reg 1 s488.

Interior structural firefighting

489 Where fire fighters are required or permitted to engage in interior structural firefighting, an employer shall ensure that:

- (a) the fire fighters work in teams; and
- (b) a suitably equipped rescue team is readily available outside the structure to rescue an endangered fire fighter if the fire fighter's SCBA fails or the fire fighter becomes incapacitated for any other reason.

4 Oct 96 cO-1.1 Reg 1 s489.

Personal alert safety system

490(1) An employer, contractor or owner shall provide each fire fighter who enters a structure during firefighting with an approved personal alarm safety system (PASS) device and ensure that the fire fighter uses the device.

(2) An employer, contractor or owner shall ensure that each PASS device is tested at least monthly and before each use, and maintained in accordance with the manufacturer's instructions.

4 Oct 96 cO-1.1 Reg 1 s490.

Safety ropes, harnesses and hardware

491 An employer, contractor or owner shall provide for use by a fire fighter approved safety ropes, harnesses and hardware that are appropriate to the nature of the risk to which the fire fighter will be exposed and adequate to protect the health and safety of the fire fighter, and ensure that the fire fighter uses them.

4 Oct 96 cO-1.1 Reg 1 s491.

PART XXXIII

Repeal, Transitional and Coming into Force

R.R.S. c.O-1 Reg 1 repealed

492 *The Occupational Health and Safety Regulations* are repealed.

4 Oct 96 cO-1.1 Reg 1 s492.

Transitional

493 Notwithstanding the repeal of *The Occupational Health and Safety Regulations*, an approval granted by the director pursuant to *The Occupational Health and Safety Regulations* is continued pursuant to these regulations until it is revoked or amended by the director.

4 Oct 96 cO-1.1 Reg 1 s493.

Coming into force

494(1) Subject to subsections (2) and (3), these regulations come into force on November 1, 1996.

(2) Subject to subsection (3), if these regulations are not published in *The Saskatchewan Gazette* at least 60 days before November 1, 1996, these regulations come into force on the sixty-first day after the day on which they are published in *The Saskatchewan Gazette*.

(3) Part XXXII of these regulations comes into force one year after the day on which these regulations come into force.

4 Oct 96 cO-1.1 Reg 1 s494.

Appendix

TABLE 1

[Subclause 2(1)(g)(i), subsection 54(2)]

Minimum Requirements for Class A Qualification

A First aid training course:

I Course duration: 14-16 hours

II Course Content:

The role of the first aid attendant
 Interaction with higher-level trained personnel and with medical care agencies
 Medico-legal aspects of first aid
 Responsibilities of the first aid attendant
 Knowledge of the ambulance system
 Basic anatomy and physiology: how the body systems work
 Patient assessment: primary and secondary surveys
 Assessment and monitoring of basic vital signs
 Respiratory emergencies: respiratory system review, management of airways
 Chest injuries: pneumothorax, flail chest, sucking chest wound
 Circulatory system review, heart attack, stroke
 Bleeding: wounds, control of bleeding and bandaging
 Barrier devices to prevent the transmission of pathogens
 Shock: signs and symptoms
 Abdominal injuries: system review by quadrant
 Stabilization: head, spine and pelvis injuries
 Upper and lower extremity injuries
 Medical emergencies: epilepsy, diabetes
 Assessment and treatment of burns
 Assessment and treatment of poisonings and acute effects of abused drugs
 Problems of heat and cold
 Emotional problems
 Movement of a casualty
 Situation simulations, reporting on the patient to higher-level trained personnel
 Understanding of and familiarity with relevant provisions of *The Occupational Health and Safety Regulations, 1996*.

B Cardiopulmonary resuscitation training course:

I Course duration: 4-6 hours

II Course Content:

Risk factors
 Signals and actions of heart attack and stroke
 Airway obstruction: prevention, causes, recognition
 Entrance into the emergency medical services system
 One rescuer cardiopulmonary resuscitation (adult)
 Treatment of an adult with an obstructed airway
 Turning of the casualty into the recovery position.

Coming into force

22(1) Subject to subsection (2), these regulations come into force on the day on which subsection 114(3) of *The Regional Health Services Act* comes into force.

(2) If these regulations are filed with the Registrar of Regulations after subsection 114(3) of *The Regional Health Services Act* comes into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

23 Dec 2005 cR-8.2 Reg 6 s22.

The Regional Health Services Administration Regulations

being

Chapter R-8.2 Reg 1 (effective August 1, 2002) as amended by Saskatchewan Regulations 47/2004, 117/2005, 96/2006, 88/2007 and 31/2009.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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Appendix**PART I**

Table 1	Persons Receiving Funding from Regional Health Authority Prescribed as Health Care Organizations
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PART II**Forms**

Form 1	Notice of Amalgamation
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CHAPTER R-8.2 REG 1

The Regional Health Services Act

Title

1 These regulations may be cited as *The Regional Health Services Administration Regulations*.

Interpretation

2(1) In these regulations:

- (a) **"Act"** means *The Regional Health Services Act*;
- (b) **"beneficiary"** means a beneficiary within the meaning of *The Saskatchewan Medical Care Insurance Act*;
- (c) **"special resolution"** means a special resolution as defined in:
 - (i) *The Co-operatives Act, 1996*, in the case of a health care organization incorporated or continued pursuant to that Act; or
 - (ii) *The Non-profit Corporations Act, 1995*, in the case of a health care organization incorporated or continued pursuant to that Act.
- (2) For the purposes of clauses 30(1)(c) and 39(4)(c) of the Act, **"value"** means fair value as determined in accordance with the rules, procedures and formulas set by the Saskatchewan Assessment Management Agency in the *Saskatchewan Assessment Manual*.
- (2.1) For the purposes of clauses 30(1)(e) and 39(4)(e) of the Act, **"value"** means net carrying amount as defined in Section 4430.05 of the *Canadian Institute of Chartered Accountants Handbook*.
- (3) In these regulations, a reference to a table is a reference to a table in Part I of the Appendix to these regulations, and a reference to a form is a reference to a form in Part II of the Appendix.

23 Aug 2002 cR-8.2 Reg 1 s2; 18 Nov 2005 SR
117/2005 s3.

Health professions prescribed

2.1 For the purposes of clause 2(1)(n) of the Act, the following health professions are prescribed:

- (a) chiropractic;
- (b) dentistry;
- (c) medicine;
- (c.1) midwife;
- (d) nurse practitioner.

18 Nov 2005 SR 117/2005 s4; 21 Sep 2007 SR
88/2007 s3.

Regional health authorities – eligibility for appointment

3(1) To be eligible for appointment as a member of a regional health authority, a person:

- (a) must be a Canadian citizen; and
 - (b) must be at least 18 years of age.
- (2) A person is disqualified from being a member of a regional health authority if the person:
- (a) is an employee of the regional health authority;
 - (b) is an employee of the department or an agency for which the minister is responsible;
 - (c) is a director, officer or employee of a health care organization that has a contract with the regional health authority;
 - (d) is an auditor of, or a lawyer acting for, the regional health authority or a health care organization that has a contract with the regional health authority;
 - (e) receives 50% or more of his or her gross annual income through contracts with the regional health authority or a health care organization that has a contract with the regional health authority;
 - (f) is a director of a corporation that receives 50% or more of its gross annual income through contracts with the regional health authority or a health care organization that has a contract with the regional health authority;
 - (g) is a member of the practitioner staff of the regional health authority or an affiliate that operates a facility within the health region of the regional health authority;
 - (h) holds office as a member of the Legislative Assembly, the House of Commons or the Senate of Canada or is nominated as a candidate for office as a member of the Legislative Assembly or the House of Commons;
 - (i) is a judge of the Court of Queen's Bench or Court of Appeal;
 - (j) has been convicted of an offence pursuant to section 123, 124 or 125 of the *Criminal Code* and has not received an absolute discharge or pardon with respect to the offence; or
 - (k) has been convicted of an offence that is punishable by imprisonment for five years or more and has not received an absolute discharge or pardon with respect to the offence.

Regional health authorities – limits on powers

4(1) For the purposes of clause 30(1)(a) of the Act, the prescribed amount of the limit on borrowing by the regional health authority or the cancer agency without the approval of the minister is:

(a) \$1 million in the case of Regional Health Authority #1, Regional Health Authority #2, Regional Health Authority #3, Regional Health Authority #5, Regional Health Authority #7, Regional Health Authority #8, Regional Health Authority #9 and Regional Health Authority #10;

(b) \$5 million in the case of Regional Health Authority #4 and Regional Health Authority #6;

(c) \$500,000 in the case of the Mamawetan Churchill River Regional Health Authority and the Keewatin Yatthé Regional Health Authority; and

(d) \$1 million in the case of the cancer agency;

(2) For the purposes of clause 30(1)(b) of the Act, the prescribed amount of the limit on the acquisition of an interest in real property without the approval of the minister is \$100,000.

(3) For the purposes of clause 30(1)(c) of the Act, the prescribed amount of the limit on the disposition of an interest in real property without the approval of the minister is \$100,000.

(4) For the purposes of clause 30(1)(d) of the Act, the prescribed amount of the limit on the acquisition of an interest in personal property without the approval of the minister is \$50,000.

(5) For the purposes of clause 30(1)(e) of the Act, the prescribed amount of the limit on the disposition of an interest in personal property without the approval of the minister is \$50,000.

(6) For the purposes of clause 30(1)(f) of the Act, the prescribed amount of the limit on the construction, renovation or alteration of a facility without the approval of the minister is \$100,000.

23 Aug 2002 cR-8.2 Reg 1 s4; 13 Oct 2006 SR
96/2006 s3.

Health care organizations

5 For the purposes of subclause 2(1)(h)(ii) of the Act, the persons set out in Table 1 are prescribed as health care organizations.

23 Aug 2002 cR-8.2 Reg 1 s5.

Amalgamation of health care organization and regional health authority

6(1) For the purposes of subsection 25(2) of the Act, the health care organizations set out in Table 2 are prescribed as health care organizations that may amalgamate with a regional health authority.

(2) Form 1 is prescribed as the notice of amalgamation for the purposes of clause 25(4)(a) of the Act.

(3) For the purposes of subsection 25(5) of the Act, an amalgamation with respect to a health care organization that is incorporated or continued pursuant to *The Co-operatives Act, 1996* or *The Non-profit Corporations Act, 1995* is to be approved by the members of the health care organization by a special resolution of the members.

(4) A special resolution to approve an amalgamation must specify the date on or before which the amalgamation is to become effective.

(5) Notwithstanding *The Co-operatives Act, 1996* and *The Non-profit Corporations Act, 1995*, each member of a health care organization is entitled to vote on a special resolution to approve an amalgamation, whether or not the member's membership otherwise carries the right to vote, and the members shall vote as one class.

23 Aug 2002 cR-8.2 Reg 1 s6.

Restrictions on sale and transfer of membership interests

7 For the purposes of section 40 of the Act, the prescribed amount of funding that, if received by a health care organization, restricts its right to issue or transfer membership interests without the approval of the minister is \$500,000.

23 Aug 2002 cR-8.2 Reg 1 s7.

Affiliates

8(1) For the purposes of clause 2(1)(a) of the Act, the persons set out in Table 3 are prescribed as persons who are not included in the definition of affiliate.

(2) The affiliates set out in Table 4 are prescribed as affiliates that are required pursuant to section 43 of the Act to make bylaws respecting practitioner staff.

23 Aug 2002 cR-8.2 Reg 1 s8.

Affiliates – limits on powers

9(1) For the purposes of clause 39(4)(a) of the Act, the prescribed amount of the limit on borrowing by an affiliate without the approval of the minister is an amount equal to 1.5% of the total amount of funding provided to the affiliate in the most recent complete fiscal year by district health boards, where applicable, and regional health authorities.

(2) For the purposes of clause 39(4)(b) of the Act, the prescribed amount of the limit on the acquisition of an interest in real property without the approval of the minister is \$100,000.

(3) For the purposes of clause 39(4)(c) of the Act, the prescribed amount of the limit on the disposition of an interest in real property without the approval of the minister is \$100,000.

(4) For the purposes of clause 39(4)(d) of the Act, the prescribed amount of the limit on the acquisition of an interest in personal property without the approval of the minister is \$50,000.

(5) For the purposes of clause 39(4)(e) of the Act, the prescribed amount of the limit on the disposition of an interest in personal property without the approval of the minister is \$50,000.

(6) For the purposes of clause 39(4)(f) of the Act, the prescribed amount of the limit on the construction, renovation or alteration of a facility without the approval of the minister is \$100,000.

23 Aug 2002 cR-8.2 Reg 1 s9.

Annual report - disclosure of remuneration and benefits paid

9.1(1) For the purposes of clause 55(2)(b) of the Act and in this section, "**senior employee**":

(a) means:

(i) the chief executive officer; or

(ii) an employee performing senior management functions who reports directly to:

(A) one or more members of the regional health authority;

(B) the chief executive officer; or

(C) an employee performing senior management functions who reports directly to the chief executive officer; and

(b) includes a person performing senior management functions whose services are engaged on a contract basis or a fee-for-service basis and who reports directly to a person described in paragraph (a)(ii)(A), (B) or (C).

(2) For the purposes of clause 55(2)(b) of the Act and in this section, a reference to a member, officer or senior employee includes a former member, a former officer or a former senior employee, as the case may be.

(3) Commencing with the report for the 2005-2006 fiscal year, the report and financial statement required by subsection 55(1) of the Act must be prepared in accordance with this section.

(4) The disclosure of remuneration and benefits required by clause 55(2)(b) of the Act:

(a) must be made on an individual basis by name and position title;

(b) must include payments of monthly retainers and payments with respect to attendance at meetings, travel and sustenance and travel time;

(c) must include the total of all payments and benefits paid as severance to a senior employee on the termination of the person's employment or contractual relationship with the regional health authority; and

(d) must be reported in a schedule to the financial statement mentioned in clause 55(1)(b) of the Act.

18 Nov 2005 SR 117/2005 s5.

Qualifications of auditors

10 For the purposes of section 57 of the Act, an auditor must be:

(a) a registered member in good standing of the Certified General Accountants Association of Saskatchewan;

(b) a member or fellow in good standing of The Institute of Chartered Accountants of Saskatchewan; or

(c) a certified member of the Society of Management Accountants of Saskatchewan - La Societe des Comptables en Management du Saskatchewan.

23 Aug 2002 cR-8.2 Reg 1 s10.

Insurance

11(1) In this section, “**automobile insurance**” does not include the insurance evidenced by a certificate of insurance issued pursuant to *The Automobile Accident Insurance Act*.

(2) Every regional health authority and every health care organization shall maintain insurance of the following types and amounts:

(a) insurance covering the full replacement cost of all buildings, equipment and furnishings against loss or damage by fire or other perils normally insured against under all-risk coverage;

(b) general liability insurance, in an amount not less than \$1 million per occurrence, against liability arising from injury to or the death of persons and loss of or damage to property occurring in facilities owned or operated by the regional health authority or health care organization;

(c) malpractice insurance against liability arising from the acts and omissions of the regional health authority or health care organization and the employees and agents of the regional health authority or health care organization, in the following amounts:

(i) not less than \$5 million per occurrence in relation to an act or omission occurring in a hospital or health centre;

(ii) not less than \$1 million per occurrence in relation to an act or omission occurring in a facility other than a hospital or health centre;

(iii) not less than \$1 million per occurrence in relation to any other act or omission;

(d) with respect to the motor vehicles owned or leased by the regional health authority or health care organization, automobile insurance, in an amount not less than \$1 million per occurrence, insuring the regional health authority or health care organization and the operator against liability arising from:

(i) bodily injury to or the death of a person, including a person carried for compensation, or loss of or damage to property, caused by a motor vehicle or the use or operation of a motor vehicle; or

(ii) loss of or damage to a motor vehicle and the loss of use of a motor vehicle.

18 Nov 2005 SR 117/2005 s6.

Property exempt from taxation

12(1) The health care organizations set out in Table 5 are prescribed for the purposes of clause 63(1)(c) of the Act.

(2) The non-profit or charitable organizations set out in Table 6 are prescribed for the purposes of clause 63(1)(d) of the Act.

(3) The community clinics set out in Table 7 are prescribed for the purposes of subsection 63(2) of the Act.

23 Aug 2002 cR-8.2 Reg 1 s12.

Eligibility for services

13(1) Every beneficiary is eligible to receive any health service provided by a regional health authority or health care organization.

(2) If a regional health authority or health care organization provides a health service to beneficiaries, it shall provide that health service to each beneficiary on the same terms and conditions.

(3) No regional health authority or health care organization shall include as a term or condition of providing a health service any requirement with respect to the place of residence of the beneficiary.

23 Aug 2002 cR-8.2 Reg 1 s13.

Provision of health services

14 A regional health authority is not required to provide health services outside the area of the health region for which the regional health authority was established, except where directed by the minister or pursuant to an agreement with another regional health authority.

23 Aug 2002 cR-8.2 Reg 1 s14.

Coming into force

15(1) Subject to subsection (2), these regulations come into force on the day on which section 64 of *The Regional Health Services Act* comes into force.

(2) If section 64 of *The Regional Health Services Act* comes into force before these regulations are filed with the Registrar of Regulations, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

23 Aug 2002 cR-8.2 Reg 1 s15.

Appendix**PART I****Table 1**

[Section 5]

**Persons Receiving Funding from Regional Health Authority
Prescribed as Health Care Organizations**

Autism Resource Centre Inc.

Autism Treatment Services of Saskatchewan, Inc.

Backlin's Ambulance Service Ltd.

Blaine Lake Ambulance Care Ltd.

BridgePoint Center Inc.

Canadian Mental Health Association (Saskatchewan Division) Inc.

Canadian Mental Health Association, Battlefords Branch, Inc.

The Canadian Mental Health Association, Prince Albert Branch Inc.

Canadian Mental Health Association – Saskatoon Branch Inc.

Canadian Mental Health Association, Swift Current Branch, Inc.

Canora Ambulance Care (1996) Ltd.

Cenaiko Enterprises Corp.

Creighton Alcohol & Drug Abuse Council, Inc.
Crestvue Ambulance Service Ltd.
Crocus Co-operative
Cupar Lions Volunteer Ambulance Inc.
Duck Mountain Ambulance Care Ltd.
Dutchak Holdings Limited
Dutchak Transport Ltd.
Edwards Society Inc.
Elrose Volunteer Fire Brigade Inc.
Extendicare (Canada) Inc.
Fillmore Ambulance Inc.
Gull Lake & District Road Ambulance Corporation
Hope's Home Incorporated
Imperial & District Volunteer Ambulance Inc.
J.T. Ambulance Service Inc.
Kelvington Ambulance Care Ltd.
Langham Senior Citizens Home Ltd.
Libbie Young Centre Inc.
Lifeline Ambulance Service Inc.
Lloydminster Emergency Care Services (1989)
M.D. Ambulance Care Ltd.
Marshall's Ambulance Care Ltd.
McKerracher Support Services Inc.
Medstar Ventures Inc.
Melfort Ambulance Care (1999) Ltd.
Mental Health Association/Regina Branch Inc.
Midway Ambulance Care Ltd.
Moose Jaw Alcohol and Drug Abuse Society Inc.
Parkland Ambulance Care Ltd.
Phoenix Residential Society Inc.
Pioneer Village Special Care Corporation
Portage Vocational Society Inc.
Prairie Ambulance Care (1998) Ltd.
Preeceville Ambulance Care (1998) Ltd.
Quill Plains Ambulance Care Ltd.
Rainbow Youth Centre Inc.
Raymore Community Health & Social Centre
Regina Recovery Homes, Inc.
Regina Village Housing Corporation
Saskatoon Crisis Intervention Service Inc.
Saskatoon Housing Coalition, Inc.

Self Help and Recreation - Education P.A. Incorporated
 Shamrock Ambulance Care Inc.
 SMILE Services Inc.
 Society for Involvement of Good Neighbours Inc.
 Soo Line Ambulance Association
 Stoughton & District Volunteer Ambulance Inc.
 Strasbourg and District Health Centre Corp.
 Supreme Ambulance Care (1987) Limited
 Swift Current and District Ambulance Services Ltd.
 Thunder Creek Rehabilitation Association Inc.
 Tisdale Ambulance Care Ltd.
 Val Marie District Ambulance Inc.
 Valley Ambulance Care Ltd.
 Wald Ambulance Ltd.
 Walter A. "Slim" Thorpe Recovery Centre Society
 Weyburn Group Home Society Inc.
 757 Mohrs Holdings Inc.
 597008 Saskatchewan Ltd.
 615672 Saskatchewan Ltd.
 620363 Saskatchewan Ltd.

25 Jne 2004 SR 47/2004 s2; 18 Nov 2005 SR
 117/2005 s7; 13 Oct 2006 SR 96/2006 s4; 21 Sep
 2007 SR 88/2007 s4; 3 Apr 2009 SR 31/2009 s3.

Table 2
 [Subsection 6(1)]

**Health Care Organizations that may Amalgamate
 with Regional Health Authority**

The Border-Line Housing Company (1975) Inc.
 BridgePoint Center Inc.
 Creighton Alcohol & Drug Abuse Council, Inc.
 Cupar and District Nursing Home Inc.
 Cupar Lions Volunteer Ambulance Inc.
 Duck Lake and District Nursing Home Inc.
 Elrose Volunteer Fire Brigade Inc.
 Fillmore Ambulance Inc.
 Gull Lake & District Road Ambulance Corporation
 Hope's Home Incorporated
 Imperial & District Volunteer Ambulance Inc.
 Jubilee Residences Inc.
 Lakeview Pioneer Lodge Inc.
 Lumsden & District Heritage Home Inc.
 Moose Jaw Alcohol and Drug Abuse Society Inc.

Pioneer Village Special Care Corporation
 Regina Pioneer Village Ltd.
 Regina Recovery Homes, Inc.
 Regina Village Housing Corporation
 Saskatoon Convalescent Home
 Soo Line Ambulance Association
 Stoughton & District Volunteer Ambulance Inc.
 Strasbourg and District Health Centre Corp.
 Val Marie District Ambulance Inc.
 Walter A. "Slim" Thorpe Recovery Centre Society

25 Jne 2004 SR 47/2004 s2; 18 Nov 2005 SR
 117/2005 s7; 13 Oct 2006 SR 96/2006 s4; 21 Sep
 2007 SR 88/2007 s4; 3 Apr 2009 SR 31/2009 s3.

Table 3
 [Subsection 8(1)]

Persons Not Included in Definition of Affiliate

Convent of Sion – Sisters of the Order of Notre Dame de Sion
 St. Charles Missions Support Inc.
 The Ursulines of St. Angela's Convent

13 Oct 2006 SR 96/2006 s4.

Table 4
 [Subsection 8(2)]

Affiliates Required to Make Practitioner Staff Bylaws

All Nations' Healing Hospital Inc.
 Radville Marian Health Centre Inc.
 St. Anthony's Hospital
 St. Joseph's Hospital (Grey Nuns) of Gravelbourg
 St. Joseph's Hospital of Estevan
 St. Joseph's Hospital of Macklin
 St. Paul's Hospital (Grey Nuns) of Saskatoon
 St. Peter's Hospital, Melville

18 Nov 2005 SR 117/2005 s7; 3 Apr 2009 SR 31/
 2009 s3.

Table 5*[Subsection 12(1)]***Prescribed Health Care Organizations – Property Exempt from Taxation**

Moose Jaw Alcohol & Drug Abuse Society, Inc.

Regina Recovery Homes Inc.

18 Nov 2005 SR 117/2005 s7.

Table 6*[Subsection 12(2)]***Prescribed Non-profit and Charitable Organizations –
Property Exempt from Taxation**

Convent of Sion – Sisters of the Order of Notre Dame de Sion.

Metis Addictions Council of Saskatchewan Inc.

St. Charles Missions Support Inc.

The Ursulines of St. Angela's Convent

13 Oct 2006 SR 96/2006 s4; 21 Sep 2007 SR 88/
2007 s4.

Table 7*[Subsection 12(3)]***Prescribed Community Clinics – Property Exempt from Taxation**

Community Health Services Association (Regina) Limited

Community Health Services Association (Wynyard & District) Limited

Community Health Services (Saskatoon) Association Limited

The Co-operative Health Centre, Prince Albert

Lloydminster & District Co-operative Health Services Ltd.

23 Aug 2002 cR-8.2 Reg 1.

PART II

Forms

FORM 1

[Subsection 6(2)]

Notice of Amalgamation

The following health care organization:

_____ and Regional Health Authority No. _____ or the _____ Regional Health Authority hereby give notice pursuant to subsection 25(3) of *The Regional Health Services Act*:

(a) that they wish to amalgamate; and

(b) that they have obtained the approval of their members by special resolution (*attach copies of special resolutions*). (*Strike out clause (b) if it does not apply.*)

The effective date of the amalgamation is _____, 20 ____.

Executed at _____, Saskatchewan, this ____ day of _____, 20 ____

on behalf of _____

(*name of health care organization*)

(*signature of duly authorized officer*)

(*name of duly authorized officer*)

(*office of duly authorized officer*)

Executed at _____, Saskatchewan, this ____ day of _____, 20 ____

on behalf of Regional Health Authority No. _____ or the _____

Regional Health Authority

(*signature of duly authorized officer*)

(*name of duly authorized officer*)

(*office of duly authorized officer*)

23 Aug 2002 cR-8.2 Reg 1.

The Surgical Registry Regulations

being

Chapter R-8.2 Reg 2 (effective March 16, 2005) as amended
by Saskatchewan Regulations 23/2009.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER R-8.2 REG 2
The Regional Health Services Act

Title

- 1** These regulations may be cited as *The Surgical Registry Regulations*.

Interpretation

- 2** In these regulations:

- (a) **“Act”** means *The Regional Health Services Act*;
- (b) **“Canadian Armed Forces number”** means a unique number assigned by the Canadian Armed Forces to a member of the Canadian Armed Forces for the purposes of identifying the individual;
- (c) **“emergency surgical procedure”** means a surgical procedure of an unexpected or unplanned nature that must be performed immediately on a patient as a result of a condition that is life threatening, limb threatening or organ threatening;
- (d) **“health services number”** means a unique number assigned to an individual who:
 - (i) is or was registered as a beneficiary to receive insured services within the meaning of *The Saskatchewan Medical Care Insurance Act*; or
 - (ii) pursuant to the legislation of another province or territory of Canada, is or was entitled to receive services similar to the insured services mentioned in subclause (i);
- (e) **“manager”** means the person designated by the minister to act as the manager of the surgical registry;
- (f) **“patient”** means a person who is the subject of a surgical procedure;
- (g) **“planned surgical procedure”** means a surgical procedure other than an emergency surgical procedure;
- (h) **“prescribed affiliate”** means an affiliate prescribed pursuant to section 4;
- (i) **“Royal Canadian Mounted Police number”** means a unique number assigned by the Royal Canadian Mounted Police to a member of the Royal Canadian Mounted Police for the purposes of identifying the individual;
- (j) **“Saskatchewan Surgical Registry Procedure List”** means the *Saskatchewan Surgical Registry Procedure List* published by the department, as amended from time to time, that sets out the surgical procedures that are to be reported to the surgical registry and the terminology to be used in the submission of reports to the surgical registry;

- (k) “**surgical procedure**” means a procedure performed on a patient that:
- (i) is medically invasive;
 - (ii) is performed in an operating room, surgical procedure room or other similar room or premises in a hospital;
 - (iii) is performed with the assistance of anaesthesia; and
 - (iv) is listed in the *Saskatchewan Surgical Registry Procedure List*.

24 Mar 2005 R-8.2 Reg 2 s2.

Application of regulations

3 These regulations apply to all surgical procedures performed in hospitals operated by regional health authorities and prescribed affiliates.

24 Mar 2005 R-8.2 Reg 2 s3.

Prescribed affiliates

4 The following affiliates are prescribed for the purposes of subsection 12(2) of the Act:

- (a) **Repealed.** 27 Mar 2009 SR 23/2009 s2.
- (b) St. Joseph’s Hospital of Estevan;
- (c) St. Paul’s Hospital (Grey Nuns) of Saskatoon;
- (d) St. Peter’s Hospital, Melville.

24 Mar 2005 R-8.2 Reg 2 s4; 27 Mar 2009 SR 23/2009 s2.

Provision of information generally

5 All information required to be provided to the manager pursuant to these regulations must be provided in a format acceptable to the minister.

24 Mar 2005 R-8.2 Reg 2 s5.

Information before planned surgical procedure

6(1) If a regional health authority or prescribed affiliate receives information about a planned surgical procedure that is scheduled to be performed in a hospital that it operates, the regional health authority or prescribed affiliate shall provide to the manager the following information:

- (a) the name of the regional health authority or affiliate;
- (b) the surgical procedure to be performed, as set out in the *Saskatchewan Surgical Registry Procedure List*;
- (c) whether the surgical procedure will be performed on an in-patient or out-patient basis;
- (d) the name of the hospital in which the surgical procedure is scheduled to be performed;
- (e) the name, address and telephone numbers of the patient’s family physician and the physician, surgeon or dentist who is scheduled to perform the surgical procedure;

- (f) the date on which the patient was referred to the physician, surgeon or dentist for the surgical procedure and the date of the patient's initial visit with that physician, surgeon or dentist;
- (g) the clinical priority assessment that has been completed with respect to the patient by the physician, surgeon or dentist;
- (h) the date on which the surgical procedure is scheduled to take place;
- (i) the name, address, telephone number, date of birth, sex and health services number of the patient, and if applicable, the patient's Canadian Armed Forces number or Royal Canadian Mounted Police number;
- (j) a list of any dates on which the patient is not available for surgery and the reason for the unavailability.

(2) The information required by subsection (1) must be provided to the manager within 14 days after the day on which the regional health authority or prescribed affiliate receives information about the planned surgical procedure and, in any event, before the planned surgical procedure takes place.

(3) If a regional health authority or prescribed affiliate receives any change to the information provided to the manager pursuant to subsection (1) with respect to a planned surgical procedure, the regional health authority or prescribed affiliate shall, within five days after receiving the change of information, provide the changed information to the manager.

24 Mar 2005 R-8.2 Reg 2 s6.

Urgency score

7 After information with respect to a planned surgical procedure is provided to the manager pursuant to section 6, an urgency score will be automatically assigned with respect to the patient and recorded in the registry.

24 Mar 2005 R-8.2 Reg 2 s7.

Information after planned surgical procedure

8 Within 14 days after a planned surgical procedure is performed, the regional health authority or prescribed affiliate that operates the hospital at which it was performed shall provide the manager with the following information:

- (a) the name of the regional health authority or affiliate;
- (b) the surgical procedure that was performed, as set out in the *Saskatchewan Surgical Registry Procedure List*;
- (c) whether the surgical procedure was performed on an in-patient or out-patient basis;
- (d) the name of the hospital in which the surgical procedure was performed;
- (e) the name, address and telephone numbers of the physician, surgeon or dentist who performed the surgical procedure;
- (f) the date on which the surgical procedure took place;
- (g) the type of anaesthesia that was used;
- (h) the date on which the patient was discharged from the hospital and the circumstances of discharge.

24 Mar 2005 R-8.2 Reg 2 s8.

Information after emergency surgical procedure

9 Within 14 days after the day on which an emergency surgical procedure is performed, the regional health authority or prescribed affiliate that operates the hospital at which the emergency surgical procedure was performed shall provide to the manager the information set out in clause 6(1)(i) and section 8 with respect to the emergency surgical procedure.

24 Mar 2005 R-8.2 Reg 2 s9.

Information sharing

10(1) For the purposes of subsection 12(4) of the Act, a physician, surgeon or dentist who provides health services to a patient is prescribed as a person to whom the minister may disclose information from the surgical registry with respect to that patient.

(2) The minister may, pursuant to subsection 12(4) of the Act, disclose information from the surgical registry with respect to a patient only to a regional health authority, health care organization or prescribed person who provides or has provided health services to that patient.

(3) Information from the surgical registry being disclosed pursuant to subsection 12(4) of the Act may be provided electronically or in writing.

24 Mar 2005 R-8.2 Reg 2 s10.

Coming into force

11 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

24 Mar 2005 R-8.2 Reg 2 s11.

The Residential Tenancies Regulations, 2007

being

Chapter R-22.0001 Reg 1 (effective March 1, 2007) as amended
by Saskatchewan Regulations 128/2008 and 53/2009.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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		15	Coming into force

CHAPTER R-22.0001 REG 1
The Residential Tenancies Act, 2006

Title

- 1** These regulations may be cited as *The Residential Tenancies Regulations, 2007*.

Interpretation

- 2(1)** In these regulations, “**Act**” means *The Residential Tenancies Act, 2006*.
- (2) For the purposes of clause 2(j) of the Act, “**public housing authority**” includes any person that offers rental subsidies to tenants pursuant to a social housing program.
- (3) In clause 58(1)(l) of the Act and these regulations, “**social housing program**” means a program that provides affordable rental living accommodation to individuals who are socially or economically disadvantaged or who have a mental or physical disability and includes, but is not limited to, a program that is one or both of the following:
- (a) offered by a department of the Government or an agency of the Government of Canada;
 - (b) offered pursuant to an Act or an Act of the Parliament of Canada.
- (4) For the purposes of clause 54(1.1)(b) of the Act, “**date of the last rent increase**” means the date that written notice of the last rent increase was given to the tenant.

16 Feb 2007 cR-22.0001 Reg 1 s2; 2 Jan 2009
SR 128/2008 s3.

Non-application of Act

- 3** For the purposes of clause 5(f) of the Act, the Act does not apply to:
- (a) living accommodation owned or operated by an educational institution and provided by that institution to its students or employees;
 - (b) living accommodation that includes the provision of meals in the consideration paid by the tenant for the rental unit, but only if the rental unit is offered exclusively to tenants who are over 55 years of age;
 - (c) living accommodation provided by the Young Men’s Christian Association, The Young Women’s Christian Association or The Salvation Army; or
 - (d) living accommodation rented under a tenancy agreement that grants a right of occupancy:
 - (i) for the life of the tenant; or
 - (ii) for a fixed period of not less than 20 years.

16 Feb 2007 cR-22.0001 Reg 1 s3.

Tenancy agreements include the standard conditions

4 The standard conditions of a tenancy agreement are set out in Schedule 1 in Part II of the Appendix.

16 Feb 2007 cR-22.0001 Reg 1 s4.

Interest on security deposits

5(1) A landlord shall pay to a tenant interest on any security deposit that the tenant has paid to the landlord or the landlord's agent:

- (a) at the rate of 5% per annum with respect to the period ending on June 30, 1981;
 - (b) at the rate of 10% per annum with respect to the period commencing on July 1, 1981 and ending on December 14, 1983;
 - (c) at the rate of 6% per annum with respect to the period commencing on December 15, 1983 and ending on December 31, 1992; and
 - (d) at the rate determined in accordance with subsection (2) with respect to the period commencing on January 1, 1993.
- (2) For each year commencing with 1993, the interest rate mentioned in clause (1)(d) is the Chartered Bank Administered Interest Rate for Non-Chequable Savings Deposits published in the *Bank of Canada Review* for December of the previous year.

16 Feb 2007 cR-22.0001 Reg 1 s5.

Quiet enjoyment

6 For the purposes of clause 44(b) of the Act, "freedom from unreasonable disturbance" includes the following:

- (a) disturbances created by the landlord;
- (b) disturbances created by another tenant of the landlord;
- (c) disturbances created by a person permitted on the residential property by the landlord or another tenant of the landlord.

16 Feb 2007 cR-22.0001 Reg 1 s6.

Notice of entry where tenant has given notice of intention to end the tenancy

7(1) Subject to subsection (2), if a tenant has given notice pursuant to section 56 of the Act of the tenant's intention to end the tenancy, the landlord may enter the rental unit for the purpose of showing it to prospective tenants but only if:

- (a) the tenant has given permission in accordance with clause 45(1)(a) of the Act;
- (b) the landlord gives the tenant notice in accordance with clause 45(3)(a) of the Act; or
- (c) the landlord and the tenant have agreed in writing to the terms under which the landlord may enter the rental unit, but only if:
 - (i) the terms are not unreasonable; and
 - (ii) the agreement is entered into after the tenant has given notice of his or her intention to end the tenancy.

(2) If a landlord is not able to gain entry to a rental unit pursuant to subsection (1), the landlord may enter the rental unit for the purpose of showing it to prospective tenants if:

(a) the landlord posts a notice of entry on the door of the rental unit in accordance with subsection (4); and

(b) subject to subsection (3), the landlord has made a reasonable effort, at least two hours before the entry, to contact the tenant at the telephone number or electronic mail address that the tenant has provided for the purpose.

(3) If a tenant has not provided the landlord with a telephone number or electronic mail address for the purpose of providing notice of entry, the landlord may enter the rental unit in accordance with subsection (2) even though the landlord was unable to comply with the requirements set out in clause (2)(b).

(4) A notice of entry pursuant to clause (2)(a) must:

(a) set out the date and time of entry; and

(b) be posted no later than the time of entry.

16 Feb 2007 cR-22.0001 Reg 1 s7.

Charges re assignment or sublease

8 Pursuant to subsection 50(5) of the Act, a landlord may charge a tenant a fee, not to exceed \$20, for considering, investigating or consenting to:

(a) an assignment of a tenancy agreement; or

(b) a sublease of a rental unit under a fixed term tenancy.

16 Feb 2007 cR-22.0001 Reg 1 s8.

Notice of rent increase re mobile homes

9 A landlord must give a tenant of a mobile home site written notice of a rent increase at least six months before the effective date of the increase.

16 Feb 2007 cR-22.0001 Reg 1 s9.

Writ of possession - form

10 For the purposes of subsection 70(13) of the Act, the form to be used by a hearing officer to order a writ of possession is Form A in Part I of the Appendix.

16 Feb 2007 cR-22.0001 Reg 1 s10.

Monetary limits for applications

11 For the purposes of section 71 of the Act, an application may be made pursuant to section 70 of the Act respecting a monetary claim only if the amount claimed does not exceed \$10,000.

16 Feb 2007 cR-22.0001 Reg 1 s11.

Service

12(1) In addition to the methods mentioned in clauses 82(6)(a) and (b) of the Act, a notice or other document required to be served on the director may be served by facsimile transmission to a telecopier located at the Office of Residential Tenancies in Regina or Saskatoon.

(2) For the purposes of clause 33(4)(b) of the Act, service on the minister responsible for the administration of *The Saskatchewan Assistance Act* must be made by serving the deputy minister of the ministry over which that minister presides, or any other employee of that ministry whom the deputy minister advises the director in writing of, by any of the following methods:

- (a) personal service;
- (b) ordinary mail;
- (c) facsimile transmission;
- (d) any electronic message that produces a written record;
- (e) any regular means used within the Government of Saskatchewan to deliver documents from one ministry or agency to another ministry or agency.

16 Feb 2007 cR-22.0001 Reg 1 s12; 2 Jan 2009
SR 128/2008 s4.

Fees

13(1) The fee for making an application:

- (a) pursuant to section 33 of the Act is \$25;
- (b) pursuant to section 70 of the Act is:
 - (i) \$30 if the amount claimed by the person making the application is \$5000 or less; and
 - (ii) \$50 if the amount claimed by the person making the application exceeds \$5000;
- (c) pursuant to section 76 of the Act is \$25.

(2) If the director considers it appropriate and in the interests of justice to do so, the director may order a respondent to reimburse a successful applicant for the fee paid pursuant to this section.

(3) Notwithstanding subsection (1), an applicant is not required to pay to the director any fee respecting an application pursuant to the Act if the applicant is:

- (a) receiving assistance pursuant to *The Saskatchewan Assistance Act*; or
- (b) receiving the guaranteed income supplement pursuant to the *Old Age Security Act* (Canada).

16 Feb 2007 cR-22.0001 Reg 1 s13.

Costs

13.1(1) Subject to subsection (2), for the purposes of subsection 34(4) of the Act, the amount of costs is to be equal to the amount that the hearing officer is satisfied that the tenant has incurred for out-of-pocket expenses and lost income related to the hearing.

(2) For the purposes of subsection (1), the minimum amount of costs that a hearing officer must award is \$50 and the maximum amount is \$200.

29 May 2009 SR 53/2009 s2.

R.R.S. c.R-22 Reg 3 repealed

14 *The Residential Tenancies Regulations, 1992* are repealed.

16 Feb 2007 cR-22.0001 Reg 1 s14.

Coming into force

15(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Residential Tenancies Act, 2006* comes into force.

(2) If these regulations are filed with the Registrar of Regulations after the day on which section 1 of *The Residential Tenancies Act, 2006* comes into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

16 Feb 2007 cR-22.0001 Reg 1 s15.

Appendix**PART I****Form A****[Section 9]****Writ of Possession**

To the sheriff acting at the judicial centre of _____

I, _____ , _____
(Name) (Title)
(Director/Deputy Director/Hearing Officer)

direct you, as soon as is reasonably possible, to put _____
(name of landlord)

into possession of _____ , including
(address of rental unit)

the fixtures, appliances and furnishings provided by the landlord to the tenant pursuant to the
tenancy agreement, currently occupied by _____ ,
(tenant)

or any person claiming through or under the tenant.

I further direct you to report to the Residential Tenancies Office immediately after you have
executed this writ.

Dated this _____ day of _____ , _____ .

(Title)
(Director/Deputy Director/Hearing Officer)

PART II

Schedule 1

[Section 4]

Standard Conditions of a Tenancy Agreement*The Residential Tenancies Act, 2006*

NOTE: These Standard Conditions are conditions of every tenancy agreement. However, both landlord and tenant should consult *The Residential Tenancies Act, 2006* (the "Act") and *The Residential Tenancies Regulations, 2007* (the "regulations") to determine the full extent of their rights and obligations. If there is a conflict between a provision in these Standard Conditions and a provision in the Act or the regulations, the provision in the Act or regulations prevails.

Application of *The Residential Tenancies Act, 2006*

1(1) These standard conditions form part of every tenancy agreement.

(2) The terms and conditions of any tenancy agreement, and any changes or additions to the terms and conditions, may not contradict or change any right, obligation or standard condition under *The Residential Tenancies Act, 2006* or a regulation made pursuant to that Act.

(3) If a term or condition of a tenancy agreement does contradict or change such a right, obligation or standard condition, the term or condition of the tenancy agreement is void and cannot be enforced.

Written tenancy agreements

2(1) Tenancy agreements do not have to be in writing. However, if a landlord and tenant enter into a written agreement, it must comply with the provisions of the Act and the regulations. The landlord must give the tenant a copy of the signed agreement within 20 days after the agreement is entered into.

(2) A fixed term tenancy for more than three months must be in writing, failing which it will be deemed to be a monthly tenancy. In addition, any written tenancy agreement that does not set out the date on which it is to end will also be deemed to be a monthly tenancy.

(3) Even if a tenancy agreement is not in writing, the landlord must provide the tenant with an address for service and telephone number as well as a telephone number for emergency repairs.

[see sections 19, 20 and 21 of *The Residential Tenancies Act, 2006*]

Security deposits

3(1) A security deposit may not exceed the equivalent of one month's rent. A tenant does not have to pay more than 50% of the security deposit on the date the tenancy agreement is entered into. The balance of the security deposit must be paid within two months after the tenant takes possession of the rental unit. (Special rules apply if the Minister responsible for *The Saskatchewan Assistance Act* guarantees payment of the security deposit.)

(2) If a landlord accepts a security deposit that is greater than one month's rent, the tenant may deduct the overpayment from rent or apply to the Director of Residential Tenancies to recover the overpayment.

[see sections 25 and 26 of *The Residential Tenancies Act, 2006*]

Payment of rent

4(1) A tenant must pay rent when it is due, whether or not his or her landlord complies with all requirements of *The Residential Tenancies Act, 2006*. If a landlord is in breach of the Act or the regulations, a tenant should, instead of withholding rent, make an application to the Director of Residential Tenancies.

(2) A landlord must provide a tenant with a receipt for rent paid in cash.

(3) A landlord must not terminate or restrict a service or facility without the tenant's consent unless the landlord obtains an order from the Director of Residential Tenancies.

(4) A landlord is prohibited from imposing charges or increasing rent for a service or facility that was previously available at no cost, unless the tenant agrees or the landlord obtains an order from the Director of Residential Tenancies.

(5) A tenancy agreement must not include a provision that all or part of the rent payable for the remainder of the term of the tenancy agreement becomes due and payable if the tenant breaches a provision of the tenancy agreement.

[see sections 41, 42 and 43 of *The Residential Tenancies Act, 2006*]

Rent increase

5(1) A landlord under a periodic tenancy must give a tenant six months' advance written notice of a rent increase, and the landlord shall not increase the rent more than twice each year.

(2) If a landlord fails to give the required six months' notice, the rent increase won't take effect until six months after written notice is given. If a landlord increases rent without proper notice, the tenant can apply to the Director of Residential Tenancies for compensation.

(3) A landlord under a fixed term tenancy must not increase the rent under that fixed term tenancy unless the amount of the increase (expressed either as a dollar amount or as a percentage) and time when an increase is to come into effect have been agreed to between the landlord and the tenant at the time the fixed term tenancy is entered into.

[see sections 53.1 and 54 of *The Residential Tenancies Act, 2006* and *The Residential Tenancies Regulations, 2007*]

Assignment and subletting

6(1) If a tenant has entered into a tenancy agreement for a fixed period (as opposed to a "month to month" tenancy), a tenant may sublet a rental unit only with the written consent of the landlord. However, the landlord must not unreasonably withhold consent to the proposed sublease and must not charge a tenant a fee of more than \$20 for considering or consenting to a sublease.

(2) If a rental unit has been sublet, the original tenant remains responsible for fulfilling the tenant's obligations under *The Residential Tenancies Act, 2006* and the tenancy agreement with respect to matters that arose before the date the unit was sublet.

[see section 50 of *The Residential Tenancies Act, 2006* and section 7 of *The Residential Tenancies Regulations, 2007*]

Protection of tenant's right to quiet enjoyment

7 A tenant is entitled to quiet enjoyment of a rental unit. This includes a right to:

- (a) reasonable privacy;
- (b) freedom from unreasonable disturbance from the landlord or other tenants;
- (c) exclusive possession of the rental unit; and
- (d) use of common areas for reasonable and lawful purposes.

[see section 44 of *The Residential Tenancies Act, 2006*]

Landlord and tenant obligations to repair and maintain

8(1) A landlord must maintain rental property in a good state of repair and fit for the use and enjoyment of the tenant. A landlord must also keep all services and facilities included with the rent (e.g., appliances, heating and plumbing systems, etc.) in a good and functional state of repair.

(2) A tenant must maintain reasonable health, cleanliness and sanitary standards throughout the rental unit and must repair damage to the rental unit, services or facilities caused by the tenant or someone permitted on the property by the tenant. However, the tenant is not responsible for reasonable wear and tear.

(3) If the landlord grants the tenant the exclusive use of residential property (such as a single family dwelling), the tenant is responsible for the ordinary cleanliness of the exterior of the property, including the yard or surrounding land, unless the parties agree otherwise.

[see section 49 of *The Residential Tenancies Act, 2006*]

Landlord's right to enter rental unit

9(1) A landlord must not enter a rental unit unless one of the following applies:

- (a) the tenant gives permission at the time of the entry;
- (b) at least 24 hours (and not more than seven days) before the entry the landlord gives the tenant written notice that sets out the date and time of entry and a reasonable purpose for entering;
- (c) the landlord enters the unit to provide housekeeping or related services pursuant to a written agreement with the tenant;
- (d) the landlord has an order from the Director of Residential Tenancies that authorizes the entry;
- (e) the tenant appears to have abandoned the rental unit;
- (f) an emergency exists and the entry is necessary to protect life or property.

(2) The notice provided by the landlord must state a maximum four-hour period during which the landlord will enter the rental unit. Entry can only be made between 8 a.m. and 8 p.m. on a day that is not a Sunday or a day of religious worship for the tenant, unless the tenant otherwise agrees.

(3) If a tenant has given notice to end the tenancy, the landlord may enter the rental unit for the purpose of showing it to prospective tenants, but only if the landlord complies with section 10 of these standard conditions.

(4) A landlord must not enter a rental unit for the purpose of showing it to a prospective purchaser without first giving the tenant 24 hours' notice or obtaining the consent of the tenant.

[see section 45 of *The Residential Tenancies Act, 2006*]

Notice of entry where tenant has given notice of intention to end the tenancy

10(1) If a tenant has given notice to end the tenancy, the landlord may enter the rental unit for the purpose of showing it to prospective tenants, but only if:

- (a) the tenant has given permission;
- (b) the landlord gives notice (which the tenant has received) at least two hours before entry; or
- (c) the landlord and the tenant have agreed in writing to the circumstances under which the landlord may enter the rental unit, provided that the terms are reasonable and the agreement is entered into after the tenant has given notice to end the tenancy.

(2) If a landlord does not have permission from the tenant and there is no written agreement, the landlord must make a reasonable effort, at least two hours before entry, to contact the tenant at a phone number or e-mail address provided by the tenant. If the landlord is still unsuccessful in notifying the tenant, or the tenant has not provided contact information, the landlord may enter the unit without prior notice by posting a notice on the door of the rental unit that sets out the time and date of entry.

[see section 7 of *The Residential Tenancies Regulations, 2006*]

Tenant's right of access protected

11 A landlord must not restrict access to residential property (i.e., the rental unit and any common areas) by the tenant or a person permitted on the residential property by the tenant.

Prohibitions on changes to locks and other access

12(1) A landlord must not change locks or security codes to a rental unit unless the tenant agrees to the change and the landlord provides the tenant with new keys or new security codes for the unit. Similarly, a tenant must not change locks or security codes to a rental unit unless the landlord consents to the change or the Director of Residential Tenancies has ordered the change.

(2) A landlord must not change locks or security codes to a common area unless the landlord provides each tenant with new keys or new security codes for the area. Similarly, a tenant must not change locks or security codes to a common area unless the landlord consents to the change.

[see section 48 of *The Residential Tenancies Act, 2006*]

How a tenancy ends

13(1) A tenancy can be ended only if:

- (a) the tenant or landlord gives written notice to end the tenancy in accordance with sections 56 to 61 of *The Residential Tenancies Act, 2006*; [see Standard Conditions 14 to 18, below]
- (b) the landlord and tenant agree in writing to end the tenancy;
- (c) the tenant vacates or abandons the rental unit;
- (d) the tenancy agreement cannot continue due to causes outside the control of the landlord or tenant (e.g., a fire renders the premises uninhabitable);
- (e) the Director of Residential Tenancies orders that the tenancy is ended.

(2) A tenancy for a fixed period (as opposed to a “month to month” tenancy) ends on the date specified in the tenancy agreement unless the landlord and tenant have entered into a new tenancy agreement.

[see section 55 of *The Residential Tenancies Act, 2006*]

Tenant's notice

14(1) A tenant may end a month to month tenancy by giving the landlord notice at least one month before the day of the month on which rent is payable.

(2) A tenant may end a week to week tenancy by giving the landlord notice at least one week before the day of the week on which rent is payable.

(3) A tenant may end a tenancy on one day's notice if the landlord is in breach of a “material” term of the agreement (e.g., the rental unit has become uninhabitable). However, if the breach of the agreement is capable of being remedied, the tenant must give the landlord a reasonable period to remedy the problem before ending the tenancy.

[see section 56 of *The Residential Tenancies Act, 2006*]

Landlord's notice for non-payment of rent

15(1) A landlord may end a tenancy immediately by serving a notice to end the tenancy if rent is unpaid for a period of more than 15 days after it is due. If a tenant does not vacate the unit in response to the notice, the landlord can make an application to the Director of Residential Tenancies for possession of the unit.

(2) If the tenant is responsible for the payment of utilities and any utility charges are unpaid, the landlord may treat the unpaid utility charges as unpaid rent if the tenant fails to make payment within 15 days after a landlord has requested that the tenant make payment.

[see section 57 of *The Residential Tenancies Act, 2006*]

Landlord's notice for cause

16(1) A landlord may end a tenancy by giving notice to end the tenancy if one or more of the following applies:

- (a) the tenant does not pay the security deposit within 30 days after the date the payment is due;
- (b) the tenant is repeatedly late paying rent;
- (c) there are an unreasonable number of people living in a rental unit;

- (d) the tenant (or a person permitted on the residential property by the tenant) has significantly interfered with or unreasonably disturbed other tenants or neighbours, has seriously jeopardized the health, safety or lawful rights of another tenant or neighbour, or has put the landlord's property at significant risk;
 - (e) the tenant (or a person permitted on the residential property by the tenant) has engaged in noxious, offensive or illegal activity;
 - (f) the tenant does not repair damage to the residential property within a reasonable time;
 - (g) the tenant has breached an important term of the agreement and not remedied the problem within a reasonable time;
 - (h) the tenant attempts to sublet the rental unit without obtaining the landlord's written consent;
 - (i) the tenant knowingly gives false information about the residential property to a prospective tenant or purchaser viewing the residential property;
 - (j) the rental unit must be vacated in accordance with the order of any lawful authority, including the Director of Residential Tenancies;
 - (k) the tenant (or a person permitted in the rental unit by the tenant) after receiving notice, continues to smoke in a house that is also the landlord's principal residence.
- (2) A notice to end the tenancy on any of the above grounds must be given in writing, no later than one month before the day of the month, (or week, in a weekly tenancy) that rent is payable under the tenancy agreement. The landlord must give the tenant a reasonable period of time to remedy the circumstances on which the notice is based, if they are capable of being remedied. A tenant may dispute a notice by giving written notice to the landlord within 15 days after receiving the notice, failing which, the tenant will be expected to vacate the unit by the date specified in the notice.

[see section 58 of *The Residential Tenancies Act, 2006*]

Landlord's application for order ending tenancy early

17(1) A landlord may apply to the Director of Residential Tenancies for an order that will end the tenancy early if it would be unreasonable to require the landlord to give notice under standard condition 16.

(2) This type of order can become effective immediately and may be made if a tenant has done any of the following:

- (a) significantly interfered with or unreasonably disturbed another tenant or another occupant of the residential property, the landlord or any persons in any adjacent property;
- (b) seriously jeopardized the health or safety or a lawful right or interest of another tenant or another occupant of the residential property, the landlord or any persons in any adjacent property;
- (c) put the landlord's property at significant risk;

- (d) engaged in a noxious, offensive or illegal activity that:
 - (i) has caused or is likely to cause damage to the landlord's property;
 - (ii) has adversely affected or is likely to adversely affect the quiet enjoyment, security, safety or physical well-being of another tenant or another occupant of the residential property, the landlord or any persons in any adjacent property; or
 - (iii) has jeopardized or is likely to jeopardize a lawful right or interest of another tenant or another occupant of the residential property, the landlord or any persons in any adjacent property;
- (e) caused extraordinary damage to the residential property.

[see section 68 of *The Residential Tenancies Act, 2006*]

Landlord's notice at end of employment with the landlord

18 A landlord may end the tenancy of his or her own employee after the employment is ended by providing at least one month's notice.

[see section 59 of *The Residential Tenancies Act, 2006*]

Landlord's use of property

19 A landlord may, under certain circumstances, end a tenancy for reasons related to the landlord's use of the property (e.g., demolition of the property, sale of the property to someone who will occupy the property, or use by a close family member or friend).

[The provisions in this regard are quite detailed and are set out in sections 60, 61 and 62 of *The Residential Tenancies Act, 2006*.]

Leaving the rental unit at the end of a tenancy

20 When a tenant vacates a rental unit:

- (a) the tenant must return all keys to the landlord; and
- (b) the rental unit must be reasonably clean and undamaged, except for reasonable wear and tear.

[see section 51 of *The Residential Tenancies Act, 2006*]

When landlord may regain possession of rental unit

21 A landlord may not regain possession of a rental unit unless:

- (a) the tenant has vacated or abandoned the rental unit; or
- (b) the landlord obtains an order for possession, and a writ of possession has been directed to a sheriff, pursuant to subsection 70(13) of *The Residential Tenancies Act, 2006*.

[see also section 65 of *The Residential Tenancies Act, 2006*]

Liability for not complying with this Act or a tenancy agreement

22 If a landlord or tenant does not comply with *The Residential Tenancies Act, 2006*, the regulations made pursuant to that Act or their tenancy agreement, the non-complying landlord or tenant must compensate the other for any resulting damage or loss, including loss of rent paid or payable. However, a landlord or tenant who claims compensation for any damage or loss must do whatever is reasonable to minimize the damage or loss.

[see section 8 of *The Residential Tenancies Act, 2006*]

Public housing authorities

23(1) *The Residential Tenancies Act, 2006* and the regulations made pursuant to that Act contain special provisions regarding:

- (a) housing provided by public housing authorities; and
 - (b) living accommodation provided pursuant to a social housing program.
- (2) The provisions contain different rules for security deposits, rent increases and termination for such tenancies.

[See Division 2 of Part III, Part IV and Part V of *The Residential Tenancies Act, 2006*]

Notices

24 Notices required by *The Residential Tenancies Act, 2006* or *The Residential Tenancies Regulations, 2007* must be in writing. Most notices and documents can be served by personal service, registered mail or ordinary mail. Individuals serving notices or documents should refer to section 82 of *The Residential Tenancies Act, 2006* for details.

[see section 82 of *The Residential Tenancies Act, 2006* and section 12 of *The Residential Tenancies Regulations, 2007*]

Disputes

25(1) Either the tenant or the landlord has the right to make an application regarding a residential tenancy dispute as provided in *The Residential Tenancies Act, 2006*.

(2) Any application regarding a residential tenancy dispute shall be made to the Director of Residential Tenancies in accordance with *The Residential Tenancies Act, 2006* and the regulations made pursuant to that Act.

[see section 70 of *The Residential Tenancies Act, 2006*]

16 Feb 2007 cR-22.0001 Reg 1; 2 Jan 2009 SR
128/2008 s5.

The Revenue Collection Administration Regulations

being

Chapter R-22.01 Reg 2* as amended by Saskatchewan Regulations 12/88, 37/88, 100/88, 101/88, 72/89, 133/92, 70/93, 16/94, 2/95, 40/97, 41/98, 85/98, 97/1999 and 34/2003; and by the *Statutes of Saskatchewan*, 2004, c.10 and 28/2009.

***NOTE:** The chapter number of these regulations was changed by *The Regulation Chapter Number Assignment Regulations*, c.R-16 Reg 2, gazetted Nov. 18/88.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER R-22.01 REG 2
The Revenue and Financial Services Act

PART I

Title

1 These regulations may be cited as *The Revenue Collection Administration Regulations*.

Interpretation

2 In these regulations:

- (a) “**Act**” means *The Revenue and Financial Services Act*;
- (b) “**file**” means file with the minister.

14 Feb 86 cD-22.02 Reg 2 s2; 27 Nov 92
SR 133/92 s3.

Interest on overpayment

2.1(1) For the purposes of subsection 62.1(8) of the Act, the interest rate on an overpayment of tax is the prime lending rate of the bank holding Saskatchewan's general revenue fund as determined in accordance with subsection 26(2).

(2) The amount of interest payable on an overpayment of tax is to be calculated from the day on which the amount of tax is paid to the minister pursuant to section 62.1 of the Act until the refund of the overpayment of tax is made to the appellant.

27 Nov 92 SR 133/92 s4; 2004, c10 s17.

Interest on overpayment of tax

2.2(1) This section does not apply to tax paid, collected or remitted pursuant to *The Corporation Capital Tax Act*.

(2) For the purposes of section 56 of the Act, the prescribed rate of annual interest payable with respect to an overpayment of tax is the prime lending rate of the bank holding Saskatchewan's general revenue fund as determined in accordance with subsection 26(2).

(3) The rate of annual interest payable with respect to an overpayment of tax is to be determined:

- (a) as at the time the person to whom the overpayment of tax is refundable has:
 - (i) submitted to the minister all the documents or information the minister requires to be satisfied of the person's entitlement to a refund of the overpayment;

- (ii) filed all returns that a revenue Act requires that person to file; and
 - (iii) paid or remitted all tax that a revenue Act requires that person to pay or remit; or
 - (b) in the case of an overpayment of tax that is discovered by an audit conducted pursuant to the Act or a revenue Act, as at the time that the overpayment of tax was made.
- (4) Interest with respect to an overpayment of tax is payable only for the period:
- (a) commencing on the day that is 21 days after the later of:
 - (i) the day the right to the refund of the overpayment of tax came to the knowledge of the minister; and
 - (ii) the day that all of the circumstances prescribed in subsection (3) were met; and
 - (b) ending on the day the refund of the overpayment of tax is paid.
- (5) Notwithstanding subsection (4), where an overpayment of tax is discovered by an audit conducted pursuant to the Act or a revenue Act, interest is to be calculated from the day on which the overpayment of tax was made.
- (6) Notwithstanding subsections (2) to (5), interest in an amount of less than \$1 is not payable pursuant to this section.

7 Jan 2000 SR 97/1999 s3.

PART II

Corporation Capital Tax

Interpretation of Part

3 In this Part:

- (a) **“corporation”** means a corporation as defined in *The Corporation Capital Tax Act*;
- (b) **“resource corporation”** means a resource corporation as defined in *The Corporation Capital Tax Act*;
- (c) **“tax payable”** means tax payable as defined in *The Corporation Capital Tax Act*.

25 Nov 88 SR 101/88 s3.

Application of Part

- 4 This Part applies only to tax to be paid, collected or remitted pursuant to *The Corporation Capital Tax Act*.

14 Feb 86 cD-22.02 Reg 2 s4.

Interest rate

5(1) For the purposes of section 56 of the Act, the prescribed rate of interest per annum payable with respect to an overpayment of tax is the prime lending rate of the bank holding Saskatchewan's general revenue fund as determined and adjusted in accordance with this section.

(2) Subject to subsections 56(2) and (3) of the Act, for the purposes of clause 56(1)(b) of the Act, interest is payable on the amount of an overpayment:

(a) for fiscal years commencing on or before August 31, 1988, from the day on which the overpayment is received until the day of assessment; and

(b) for fiscal years beginning on or after September 1, 1988, from the later of:

(i) the day on which the overpayment is received; and

(ii) the day on which the amount of the tax payable for the fiscal year is required to be paid pursuant to section 17 of *The Corporation Capital Tax Act*;

until the day of assessment.

(3) For the purposes of clause 57(1)(b) and subsection 59(2) of the Act, the prescribed rate of interest per annum with respect to unpaid tax, including insufficient instalment payments of tax, is the rate equal to the sum of:

(a) the prime lending rate of the bank holding Saskatchewan's general revenue fund as determined and adjusted in accordance with this section; and

(b) three percentage points.

(3.1) The interest rate prescribed by this section shall be determined on June 15 and December 15 in each year and:

(a) the interest rate as determined on June 15 shall apply to an overpayment of tax and unpaid tax that is owing on or after July 1; and

(b) the interest rate as determined on December 15 shall apply to an overpayment of tax and unpaid tax that is owing on or after January 1 of the following year.

(4) For the purposes of clause 57(1)(b) and subsection 59(2) of the Act, where the amount paid by a corporation on account of the tax payable for a fiscal year is less than the amount of tax payable for the fiscal year, the corporation shall pay interest on the difference between:

(a) the amount of the tax payable for the year; and

(b) the amount paid on account of the tax payable for the fiscal year;

from the day on which the amount of tax payable is required to be paid pursuant to section 17 of *The Corporation Capital Tax Act* until the minister receives in full the amount of tax payable and accumulated interest.

(4.1) For the purposes of subsection (4), the amount paid on account of the tax payable is the difference between:

- (a) the amount paid by the corporation on account of the tax payable for the fiscal year; and
- (b) any amounts refunded to the corporation with respect to the fiscal year.

(4.2) For the purposes of clause 57(1)(b) and subsection 59(2) of the Act, where a corporation:

- (a) is required by subsection 24(5) of *The Corporation Capital Tax Act* to pay a monthly instalment payment in an amount calculated in accordance with section 11 of *The Corporation Capital Tax Regulations, 1984*; and
- (b) fails to pay all or any part of the amount mentioned in clause (a) within the time set out in subsection 24(5) of *The Corporation Capital Tax Act*;

the corporation shall, in accordance with subsections (4.3) and (4.4), pay interest on the amount that it fails to pay.

(4.3) Interest payable pursuant to subsection (4.2) shall be paid from the last day of the month in which the instalment payment is required to be paid until the earlier of:

- (a) the day on which payment is received by the minister; and
- (b) the first day of the period for which the corporation becomes liable to pay interest pursuant to subsection (4).

(4.4) For the purpose of calculating interest payable pursuant to subsection (4.2):

(a) a corporation to which subsection 11(1) of *The Corporation Capital Tax Regulations, 1984* applies is deemed to be liable to pay a monthly instalment in the amount determined pursuant to:

- (i) clause 11(1)(a); or
- (ii) clause 11(1)(b);

of those regulations, whichever method gives the least amount to be paid; and

(b) a resource corporation to which subsection 11(2) of *The Corporation Capital Tax Regulations, 1984* applies is deemed to be liable to pay a monthly instalment in the amount determined pursuant to:

- (i) clause 11(2)(a); or
- (ii) clause 11(2)(b);

of those regulations, whichever method gives the least amount to be paid.

(4.5) Interest pursuant to subsection (4.2) is payable in addition to any interest payable pursuant to subsection (4).

NOTE: Section 5 of *The Revenue Collection Administration Amendment Regulations, 1988* (No. 4) provides for transitional application as follows:

“(1) Subject to subsection (2), subsections 5(2) and 5(4) to (4.5) of *The Revenue Collection Administration Regulations* apply to all returns received by the minister on or after January 1, 1989, notwithstanding that a return is made with respect to a period commencing on or before December 31, 1988.

(2) Notwithstanding the repeal of subsections 5(2) and (4) of *The Revenue Collection Administration Regulations*, subsections 5(2) and (4) of those regulations as they exist on December 31, 1988 apply to any assessments made by the minister on or after January 1, 1989 with respect to a fiscal year for which a return has been received by the minister on or before December 31, 1988”.

14 Feb 86 cD-22.02 Reg 2 s5; 27 May 88
SR 37/88 s3; 25 Nov 88 SR 101/88 s4; 2004, c10
s17.

Receipt of return, remittance

6 A return or a remittance of tax, including a monthly instalment payment required pursuant to section 24 of *The Corporation Capital Tax Act* and section 11 of *The Corporation Capital Tax Regulations, 1984*, is deemed to be received by the minister on the date shown in the department's records.

14 Feb 86 cD-22.02 Reg 2 s6.

Retention of records

7(1) Subject to subsection (2), every corporation shall preserve for six years all books, accounts, records and documents required by the Act, these regulations, *The Corporation Capital Tax Act* or *The Corporation Capital Tax Regulations, 1984*.

(2) On the application of a corporation, the minister may authorize in writing the destruction of any books, accounts, records or documents on a date earlier than that mentioned in subsection (1).

14 Feb 86 cD-22.02 Reg 2 s7.

PART III Provincial Sales Tax

Interpretation of Part

8 In this Part:

- (a) “**consumer**” means a consumer as defined in *The Provincial Sales Tax Act*;
- (b) “**registered consumer**” means a person who is registered or is required to be registered as a registered consumer pursuant to *The Provincial Sales Tax Act*;
- (c) “**user**” means a user as defined in *The Provincial Sales Tax Act*;
- (d) “**vendor**” means a vendor as defined in *The Provincial Sales Tax Act*.

14 Feb 86 cD-22.02 Reg 2 s8; 4 Mar 88 SR 12/88 s3;
9 May 2003 SR 34/2003 s4.

Application of Part

9 This Part applies only to tax to be paid, collected or remitted pursuant to *The Provincial Sales Tax Act*.

14 Feb 86 cD-22.02 Reg 2 s9; 9 May 2003 SR
34/2003 s5.

Records of registered consumer

10 Every person who is required to register as a registered consumer pursuant to *The Provincial Sales Tax Act* and *The Provincial Sales Tax Regulations* shall keep books of account, records, and documents in a form satisfactory to the minister, containing particulars of all invoices and other documents related to the tangible personal property mentioned in section 14 of that Act.

14 Feb 86 cD-22.02 Reg 2 s10; 4 Mar 88
SR 12/88 s4; 9 May 2003 SR 34/2003 s6.

Records of vendor

11(1) For the purposes of subsection 55(2) of the Act, every vendor shall keep the following records:

- (a) particulars of daily sales of tangible personal property and taxable services and purchases of tangible personal property, including purchase invoices summarized periodically, whether weekly, monthly or quarterly;
- (b) particulars of daily tax collections and their disposition summarized periodically, whether weekly, monthly or quarterly;
- (c) annual inventories in accordance with established business practices;
- (d) books, records and accounts necessary for the preparation of annual financial statements sufficient to indicate gross profit, net profit and assets and liabilities of the vendor;
- (e) tangible personal property purchased or taken out of stock by the vendor for the vendor's own use or consumption or supplied to the vendor's employees.

(2) All entries concerning the tax in any books, accounts, records and documents described in subsection (1) are to be kept separate and distinguishable from other entries.

14 Feb 86 cD-22.02 Reg 2 s11; 9 May 2003 SR
34/2003 s7.

Contents of certain documents

12 Where an invoice, bill of sale or other document is issued by a vendor or the vendor's agent or employee, the vendor shall show, with respect to the transaction for which the document is issued:

- (a) the total consideration for the property purchased or leased expressed in terms of money; and
- (b) a separate reference to the amount of tax collected by the vendor or the vendor's agent or employee, which tax is to be described as "Provincial Sales Tax".

14 Feb 86 cD-22.02 Reg 2 s12; 9 May 2003 SR
34/2003 s8.

Retention of records

13(1) Subject to subsection (2), every vendor or registered consumer shall preserve for six years all books, accounts, records and documents required by the Act, these regulations, *The Provincial Sales Tax Act* and *The Provincial Sales Tax Regulations*.

(2) On the application of a vendor or registered consumer, the minister may authorize in writing the destruction of any books, accounts, records or documents on a date earlier than that mentioned in subsection (1).

14 Feb 86 cD-22.02 Reg 2 s13; 4 Mar 88
SR 12/88 s5; 9 May 2003 SR 34/2003 s9.

Allowances

14(1) The minister may pay an allowance to vendors in the manner prescribed in this section.

(2) Where a vendor is required to remit tax monthly, the allowance is 10% of the first \$250 of tax remitted and 1% of the balance of the tax remitted, to a maximum of \$1,800 per annum, calculated on the basis of each monthly return.

(3) Where a vendor is required to remit tax quarterly, the allowance is 10% of the first \$750 of tax remitted and 1% of the balance of the tax remitted, to a maximum of \$1,800 per annum, calculated on the basis of each quarterly return.

(4) Where a vendor is required to remit tax annually, the allowance is 10% of the first \$3,000 of tax remitted and 1% of the balance of the tax remitted, to a maximum of \$1,800 per annum, calculated on the basis of each annual return.

(4.1) No vendor is entitled to an allowance pursuant to this section if the vendor fails to file any return required by this Part with the minister within the times required by this Part.

(4.11) Notwithstanding subsection (4.1), the minister may pay an allowance to a vendor described in that subsection if the minister has, pursuant to section 58.1 of the Act, waived the interest or penalty otherwise payable by the vendor.

(4.2) No allowance is payable with respect to tax payable by a vendor pursuant to section 22 or any tax reported in a return filed pursuant to section 16.

(4.3) For the purposes of subsection (4.1), a return is deemed to be filed when it is received by the minister pursuant to section 23.

(5) **Repealed.** 27 Nov 92 SR 133/92 s5.

(6) The vendor or the person entitled to the allowance shall bear the cost of remitting the tax out of his or her allowance.

(7) Where a vendor files the vendor's tax return on a consolidated basis, the vendor's allowance is to be calculated on the total tax collected as reported on the consolidated return.

14 Feb 86 cD-22.02 Reg 2 s14; 27 Nov 92 SR
133/92 s5; 27 Jan 95 SR 2/95 s3; 9 May 2003 SR
34/2003 s10.

Consumer allowances

14.1(1) Subject to subsection (2), the minister may pay an allowance to registered consumers in the manner prescribed in section 14.

(2) No allowance is payable to a registered consumer with respect to any tax payable by the registered consumer on or after July 1, 1992.

27 Nov 92 SR 133/92 s6.

Vendors returns

15(1) Subject to subsection (3) and unless otherwise requested, a vendor shall file separate returns covering the quarterly periods of each year.

(2) Returns are to be filed on or before:

- (a) April 20, with respect to the first quarter of the year;
- (b) July 20, with respect to the second quarter of the year;
- (c) October 20, with respect to the third quarter of the year;
- (d) January 20, in the following year, with respect to the fourth quarter of the year.

(3) Where, during any year:

- (a) a vendor collects tax in excess of \$7,200;
- (b) the vendor is deemed by the Act to have collected tax in excess of \$7,200; or
- (c) a vendor's returns, filed pursuant to these regulations in respect of a period, indicate that tax was collected by the vendor in excess of \$7,200;

the vendor shall file monthly returns until otherwise requested by the minister.

(4) The minister may require a vendor, by notice in writing, to file separate monthly returns for each month of the year, and the vendor shall file monthly returns until otherwise requested by the minister.

(5) Any monthly return required under this section is to be filed on or before the twentieth day of the month following the month to which the return relates.

(6) Notwithstanding subsections (1) and (4), where the vendor operates on a seasonal basis and on the application of the vendor, the minister may authorize the vendor to file returns for only the months the vendor operates the vendor's business.

(7) Notwithstanding subsections (1), (4) and (6), the minister may require a vendor, by notice in writing, to file returns annually, and the vendor shall file annual returns unless otherwise requested by the minister.

(8) A vendor who is required pursuant to subsection (7) to file an annual return shall file the vendor's annual return on or before January 20 in the year following the year to which the return relates.

14 Feb 86 cD-22.02 Reg 2 s15; 5 Jun 98
SR 41/98 s3; 9 May 2003 SR 34/2003 s11.

Consumer returns

16 Section 15 applies, with any necessary modification, to determine when a registered consumer shall file returns.

27 Nov 92 SR 133/92 s7.

Certain taxpayers to file return

17(1) Every person liable to pay tax pursuant to subsections 5(5), (6), (9), (9.1), (10), (10.5) and (11) or section 5.3 of *The Provincial Sales Tax Act*, other than a registered consumer, shall file a return describing the tangible personal property on which he or she is liable to pay tax.

(2) A vendor who is required to file a return pursuant to this section shall file at the time prescribed in section 15.

14 Feb 86 cD-22.02 Reg 2 s17; 27 Nov 92
SR 133/92 s8; 9 May 2003 SR 34/2003 s12.

Separate returns required

18 Unless the filing of a consolidated return is approved by the minister, the vendor shall file a separate return for each of the vendor's places of business.

14 Feb 86 cD-22.02 Reg 2 s18; 9 May 2003 SR
34/2003 s13.

Vendor or registered consumer required to file return

19 A vendor or registered consumer shall file a return whether or not he or she has any tax to report.

14 Feb 86 cD-22.02 Reg 2 s19; 9 May 2003 SR
34/2003 s14.

Returns for unreported periods

20 When a vendor:

- (a) disposes of or discontinues the vendor's business; or
- (b) is requested by the minister to file separate monthly returns;

the vendor shall file a return for any unreported period within 15 days after the disposal, discontinuance or request, as the case may be.

14 Feb 86 cD-22.02 Reg 2 s20; 9 May 2003 SR
34/2003 s15.

Deductions for bad debts

20.1(1) The tax imposed pursuant to *The Provincial Sales Tax Act* is a tax for which a deduction pursuant to section 49.1 of the Act may be made.

(2) In this section, "**tax portion**" means:

- (a) with respect to a sale made before May 8, 1992, 6.54%;
- (b) with respect to a sale made on or after May 8, 1992 but before March 19, 1993, 7.40%;

- (c) with respect to a sale made on or after March 19, 1993, but before March 21, 1997, 8.26%;
 - (d) with respect to a sale made on or after March 21, 1997 but before March 27, 1999, 6.54%;
 - (e) with respect to a sale made on or after March 27, 1999, but before April 1, 2004, 5.66%;
 - (f) with respect to a sale made on or after April 1, 2004, but before October 28, 2006, 6.54%; and
 - (g) with respect to a sale made on or after October 28, 2006, 4.76%.
- (3) Subject to subsection (5), the amount of the deduction from tax which a vendor may make pursuant to section 49.1 of the Act is equal to:
- (a) where the vendor has failed to recover any part of the amount written off as a bad debt, 100% of the amount of tax previously remitted by the vendor with respect to that sale; or
 - (b) where the vendor has recovered part of the account payable before it is written off as a bad debt, the tax portion of the amount written off, excluding:
 - (i) any tax payable pursuant to Part IX of the *Excise Tax Act* (Canada);
 - (ii) any penalties or interest imposed by the vendor for late payment; and
 - (iii) any carrying, finance or similar charges;that are included in the amount written off.
- (4) Subject to subsection (5), a vendor who recovers all or part of a bad debt with respect to which a deduction from tax has been made pursuant to section 49.1 of the Act shall pay an amount to the minister pursuant to subsection 49.1(4) of the Act equal to:
- (a) where all the amount written off is recovered, 100% of the amount previously deducted pursuant to section 49.1 of the Act with respect to that transaction;
 - (b) where less than all of the amount written off is recovered, the tax portion of the amount recovered excluding any amount the vendor is required to pay pursuant to subsection 231(3) of Part IX of the *Excise Tax Act* (Canada).
- (5) Where an amount subject to this section is tax imposed pursuant to subsection 5(2.1) of *The Provincial Sales Tax Act*, the amounts determined pursuant to clauses (3)(b) and (4)(b) shall be reduced by one half.

27 Nov 92 SR 133/92 s9; 24 Sep 93 SR 70/93 s3;
27 Jne 97 SR 40/97 s2; 7 Jan 2000 SR 97/1999
s4; 9 May 2003 SR 34/2003 s16; 3 Apr 2009 SR
28/2009 s3.

Remittance of tax

21(1) A vendor or registered consumer, as the case may be, shall remit to the minister the amount of tax collected or payable less the allowance allowed by section 14 with the required return.

(2) A vendor, user or consumer, as the case may be, shall make his or her remittance under this section by:

- (a) cash;
- (b) electronic transfer of funds;
- (c) bank, express or postal money order; or
- (d) certified cheque.

14 Feb 86 cD-22.02 Reg 2 s21; 9 May 2003 SR 34/2003 s17.

Report on personal consumption

22 A vendor shall report in the vendor's returns all items of tangible personal property and services purchased, leased, used or taken out of stock:

- (a) by the vendor for the vendor's own consumption or use; or
- (b) by the vendor's employees for the employees' consumption or use;

and shall pay, and forward with the vendor's required return, the tax with respect to those items.

14 Feb 86 cD-22.02 Reg 2 s22; 9 May 2003 SR 34/2003 s18.

Receipt of return

23 A return or a remittance of tax is deemed to be received by the minister on the date shown in the department's records.

14 Feb 86 cD-22.02 Reg 2 s23.

Interpretation, "overpayment"

24 For the purposes of section 56 of the Act, "**overpayment**" includes the payment of tax on a passenger vehicle by a resident of Saskatchewan where:

- (a) the taxpayer subsequently ceases to be a resident of Saskatchewan; and
- (b) the vehicle is taken out of Saskatchewan for use solely outside Saskatchewan;

within 30 days of the day of sale.

14 Feb 86 cD-22.02 Reg 2 s24.

24.1 Repealed. 7 Jan 2000 SR 97/1999 s5.

25 Repealed. 4 Mar 88 SR 12/88 s6.

Interest

26(1) For the purposes of clauses 57(1)(b) and 58(1.1)(b) of the Act, the prescribed rate of interest per annum with respect to unpaid tax is the rate equal to the sum of:

- (a) the prime lending rate of the bank holding Saskatchewan's general revenue fund as determined and adjusted in accordance with this section; and
- (b) three percentage points.

(2) The interest rate prescribed by this section shall be determined on June 15 and December 15 in each year and:

- (a) the interest rate as determined on June 15 shall apply to unpaid tax that is owing on or after July 1; and
- (b) the interest rate as determined on December 15 shall apply to unpaid tax that is owing on or after January 1 of the following year.

27 May 88 SR 37/88 s4; 2004, c10 s17; 3 Apr
2009 SR 28/2009 s4.

PART IV

27 to 31 Repealed. 27 Nov 92 SR 133/92 s11.

PART IV.1
Fuel Tax

Interpretation of Part

31.1 In this Part:

- (a) **"bulk fuel dealer"** means a bulk fuel dealer as defined in *The Fuel Tax Regulations, 2000*;
- (b) **"consumer"** means a consumer as defined in *The Fuel Tax Act, 2000*;
- (c) **"distributor of propane"** means a distributor of propane as defined in *The Fuel Tax Act, 2000*;
- (d) **"interjurisdictional vehicle"** means an interjurisdictional vehicle as defined in *The Provincial Sales Tax Act*;
- (e) **"railway company"** means a railway company as defined in *The Fuel Tax Regulations, 2000*;
- (f) **"recipient"** means a recipient as defined in *The Fuel Tax Act, 2000*;
- (g) **"vendor"** means a vendor as defined in *The Fuel Tax Act, 2000*.

9 May 2003 SR 34/2003 s20.

Application of Part

31.2 This Part applies only to the tax to be paid, collected or remitted pursuant to *The Fuel Tax Act, 2000*.

4 Mar 88 SR 12/88 s7; 9 May 2003 SR 34/2003
s21.

31.3 Repealed. 9 May 2003 SR 34/2003 s22.

31.31 Repealed. 7 Jan 2000 SR 97/1999 s6.

Interest

31.4(1) For the purposes of clauses 57(1)(b) and 58(1.1)(b) of the Act, the prescribed rate of interest per annum with respect to unpaid tax is the rate equal to the sum of:

- (a) the prime lending rate of the bank holding Saskatchewan's general revenue fund as determined and adjusted in accordance with this section; and
- (b) three percentage points.

(2) The interest rate prescribed by this section shall be determined on June 15 and December 15 in each year and:

- (a) the interest rate as determined on June 15 shall apply to unpaid tax that is owing on or after July 1; and
- (b) the interest rate as determined on December 15 shall apply to unpaid tax that is owing on or after January 1 of the following year.

27 May 88 SR 37/88 s6; 2004, c10 s17; 3 Apr
2009 SR 28/2009 s5.

Records

31.5(1) Every vendor, and every recipient as described in subsection 9(2) of *The Fuel Tax Act, 2000*, shall keep all entries concerning transactions of fuel in any books, accounts, records and documents separate and distinguishable from other entries.

(2) Every railway company and every registrant of an interjurisdictional vehicle shall keep records that show:

- (a) the distance travelled by the company or registrant of an interjurisdictional vehicle in each jurisdiction;
- (b) all transactions of the company or registrant of an interjurisdictional vehicle involving fuel in each jurisdiction;
- (c) all fuel the company or registrant of an interjurisdictional vehicle has in inventory from time to time; and
- (d) the volume and type of fuel consumed in Saskatchewan by the company or registrant of an interjurisdictional vehicle.

(3) Every vendor who sells taxable fuel through facilities which dispense taxable fuel directly into the fuel tank of a motor vehicle shall, at the request of a consumer who requires a proof of purchase for the purpose of claiming a rebate of tax, issue an invoice to the consumer showing separately:

- (a) the name and location of the vendor;
- (b) the name of the consumer;

- (c) the date of the sale;
 - (d) the number of litres of taxable fuel sold; and
 - (e) the licence number of the vehicle into which the fuel was dispensed.
- (4) Every distributor of propane and every vendor who sells or delivers taxable fuel, other than fuel dispensed directly into the fuel tank of a motor vehicle, shall issue an invoice showing separately:
- (a) the name and location of the person selling the fuel;
 - (b) the name of the person purchasing the fuel;
 - (c) the date of the sale;
 - (d) the number of litres of fuel sold;
 - (e) the amount, including any tax, paid by the person acquiring the fuel.
- (5) In addition to the records required to be maintained by the Act and these regulations, every bulk fuel dealer who sells fuel to the holder of a fuel tax exemption permit shall maintain a record of that person's name and fuel tax exemption permit number.

4 Mar 88 SR 12/88 s7; 9 May 2003 SR 34/2003 s23.

Retention of records

31.501(1) Subject to subsection (2), every vendor, and every recipient as described in subsection 9(2) of *The Fuel Tax Act, 2000*, shall preserve for six years all books, accounts, records and documents required by the Act, these regulations, *The Fuel Tax Act, 2000* or *The Fuel Tax Regulations, 2000*.

(2) On the application of a vendor, and every recipient as described in subsection 9(2) of *The Fuel Tax Act, 2000*, the minister may authorize in writing the destruction of any books, accounts, records or documents on a date earlier than that mentioned in subsection (1).

7 Jan 2000 SR 97/1999 s7; 9 May 2003 SR 34/2003 s24.

31.51 Repealed. 9 May 2003 SR 34/2003 s25.

PART IV.2

31.6 to 31.93 Repealed. 27 Nov 92 SR 133/92 s14.

PART V
Pari-mutuel Tax

Interpretation of Part**32** In this Part:

- (a) **“operator”** means an operator as defined in subsection 6(1) of *The Horse Racing Regulation Act*;
- (b) **“race-meeting”** means a day or series of days on which horse racing is conducted where the interval between racing days does not exceed 10 days.

14 Feb 86 cD-22.02 Reg 2 s32.

Application

33 This Part applies only to the tax to be paid, collected or remitted pursuant to *The Horse Racing Regulation Act*.

14 Feb 86 cD-22.02 Reg 2 s33.

Return and remittance of tax

34(1) Within 10 days after the conclusion of each race-meeting, every operator shall:

- (a) file a return; and
 - (b) remit all tax payable with respect to each race-meeting.
- (2) A return or a remittance of tax is deemed to be received by the minister on the date shown in the department's records.

14 Feb 86 cD-22.02 Reg 2 s34.

Interest

34.1(1) For the purposes of clauses 57(1)(b) and 58(1.1)(b) of the Act, the prescribed rate of interest per annum with respect to unpaid tax is the rate equal to the sum of:

- (a) the prime lending rate of the bank holding Saskatchewan's general revenue fund as determined and adjusted in accordance with this section; and
 - (b) three percentage points.
- (2) The interest rate prescribed by this section shall be determined on June 15 and December 15 in each year and:
- (a) the interest rate as determined on June 15 shall apply to unpaid tax that is owing on or after July 1; and
 - (b) the interest rate as determined on December 15 shall apply to unpaid tax that is owing on or after January 1 of the following year.

27 May 88 SR 37/88 s7; 2004, c10 s17; 3 Apr
2009 SR 28/2009 s6.

Retention of records

35(1) Subject to subsection (2), every operator shall preserve for six years all books, accounts, records and documents required by the Act, these regulations or *The Horse Racing Regulation Act*.

(2) On the application of an operator, the minister may authorize in writing the destruction of any books, accounts, records or documents on a date earlier than that mentioned in subsection (1).

14 Feb 86 cD-22.02 Reg 2 s35.

PART VI
Insurance Premiums Tax

Interpretation of Part

36 In this Part:

(a) “**insurance company**” means:

- (i) a company described in section 29 of *The Fire Prevention Act, 1992*;
- (ii) an insurance company as defined in *The Insurance Premiums Tax Act*; or
- (iii) an insurance company as defined in *The Motor Vehicle Insurance Premiums Tax Act*;

(b) “**tax**” means:

- (i) the fee imposed by section 29 of *The Fire Prevention Act, 1992*;
- (ii) the tax imposed by section 4 of *The Insurance Premiums Tax Act*; or
- (iii) the tax imposed by section 5 of *The Motor Vehicle Insurance Premiums Tax Act*.

14 Feb 86 cD-22.02 Reg 2 s36; 9 May 2003 SR
34/2003 s26.

Application of Part

37 This Part applies only to the tax to be paid, collected or remitted pursuant to *The Fire Prevention Act, 1992*, *The Insurance Premiums Tax Act* and *The Motor Vehicle Insurance Premiums Tax Act*.

14 Feb 86 cD-22.02 Reg 2 s37; 9 May 2003 SR
34/2003 s27.

Return, remittance of tax

38(1) On or before March 15 of each year, every insurance company shall:

- (a) file a return showing the premiums subject to tax for the preceding year, together with any other information that the minister may require; and
- (b) remit all tax payable with respect to the preceding year.

(2) A return or a remittance of tax is deemed to be received by the minister on the date shown in the department's records.

14 Feb 86 cD-22.02 Reg 2 s38.

Interest

39(1) For the purposes of clauses 57(1)(b) and 58(1.1)(b) of the Act, the prescribed rate of interest per annum with respect to unpaid tax is the rate equal to the sum of:

- (a) the prime lending rate of the bank holding Saskatchewan's general revenue fund as determined and adjusted in accordance with this section; and
- (b) three percentage points.

(2) The interest rate prescribed by this section shall be determined on June 15 and December 15 in each year and:

- (a) the interest rate as determined on June 15 shall apply to unpaid tax that is owing on or after July 1; and
- (b) the interest rate as determined on December 15 shall apply to unpaid tax that is owing on or after January 1 of the following year.

27 May 88 SR 37/88 s8; 2004, c10 s17; 3 Apr
2009 SR 28/2009 s7.

Retention of records

40(1) Subject to subsection (2), every insurance company shall preserve for six years all books, accounts, records and documents required by the Act, these regulations or *The Fire Prevention Act, 1992*, *The Insurance Premiums Tax Act* or *The Motor Vehicle Insurance Premiums Tax Act*, as the case may be.

(2) On the application of an insurance company, the minister may authorize in writing the destruction of any books, accounts, records or documents on a date earlier than that mentioned in subsection (1).

14 Feb 86 cD-22.02 Reg 2 s40; 9 May 2003 SR
34/2003 s28.

PART VII Liquor Consumption Tax

Interpretation of Part

41 In this Part:

- (a) **"beer"** means beer as defined in *The Alcohol and Gaming Regulation Act, 1997* and includes malt liquor;
- (b) **"collector"** means a collector as defined in *The Liquor Consumption Tax Act*;
- (c) **"licensee"** means a permittee as defined in *The Alcohol and Gaming Regulation Act, 1997*;
- (d) **"malt liquor"** means a beverage, other than beer, obtained by the alcoholic fermentation of an infusion or decoction of barley, malt and hops in drinkable water;

(e) “**special liquor vendor**” means a person who has been granted a franchise pursuant to section 105 of *The Alcohol and Gaming Regulation Act, 1997*;

(f) “**spirits**” means any liquid or substance that may be used as a food or beverage and that is intoxicating but does not include beer or wine;

(g) “**wine**” means wine as defined in *The Alcohol and Gaming Regulation Act, 1997*.

14 Feb 86 cD-22.02 Reg 2 s41; 9 May 2003 SR
34/2003 s29.

Application of Part

42 This Part applies only to tax to be paid, collected or remitted pursuant to *The Liquor Consumption Tax Act*.

14 Feb 86 cD-22.02 Reg 2 s42.

Account books, records required to be kept

43(1) Every collector shall maintain account books showing, with respect to each month during which the collector carries on business in Saskatchewan:

- (a) the collector's inventory of liquor held for resale showing separately the volumes and value of beer, wine and spirits;
- (b) the collector's purchases for resale of beer, wine and spirits made during that month showing, with respect to each category, the volume, value, source and date of each purchase;
- (c) the collector's sales of liquor and the amount of tax collected; and
- (d) the amount of tax the collector has accounted for and paid to the minister.

(2) Every collector who is a special liquor vendor shall, in addition to those account books required to be maintained pursuant to subsection (1), maintain records indicating the sales of beer, wine and spirits made to licensees showing, with respect to each category, the volume, value, special licence number and date of each transaction.

(3) Every collector who is a licensee shall, in addition to those account books required to be maintained pursuant to subsection (1), maintain records showing the amount of tax collected with respect to:

- (a) beer sold off licence;
- (b) beer sold on licence;
- (c) wine; and
- (d) spirits.

14 Feb 86 cD-22.02 Reg 2 s43; 9 May 2003 SR
34/2003 s30.

Entries to be kept separate

44 Every collector shall keep all entries concerning the tax in any books, accounts, records and documents separate and distinguishable from all other entries.

14 Feb 86 cD-22.02 Reg 2 s44.

Retention of records

45(1) Subject to subsection (2), every collector shall preserve for six years all books, accounts, records and documents required by the Act, these regulations or *The Liquor Consumption Tax Act*.

(2) On the application of a collector, the minister may authorize in writing the destruction of any books, accounts, records or documents on a date earlier than that mentioned in subsection (1).

14 Feb 86 cD-22.02 Reg 2 s45.

Allowance

46(1) The minister may pay an allowance to collectors in the manner prescribed in this section.

(2) Where a collector is required to remit tax monthly, the allowance is 10% of the first \$250 of tax remitted and 1% of the balance of the tax remitted, to a maximum of \$1,800 per annum, calculated on the basis of each monthly return.

(3) Where a collector is required to remit tax quarterly, the allowance is 10% of the first \$750 of tax remitted and 1% of the balance of the tax remitted, to a maximum of \$1,800 per annum, calculated on the basis of each quarterly return.

(4) Where a collector is required to remit tax annually, the allowance is 10% of the first \$3,000 of tax remitted and 1% of the balance of the tax remitted, to a maximum of \$1,800 per annum, calculated on the basis of each annual return.

(5) No collector is entitled to an allowance pursuant to this section if the collector fails to file any return required by this Part with the minister within the times required by this Part.

(5.1) Notwithstanding subsection (5), the minister may pay an allowance to a collector described in that subsection if the minister has, pursuant to section 58.1 of the Act, waived the interest or penalty otherwise payable by the collector.

(6) The collector shall bear the cost of remitting the tax out of any allowance payable.

(7) Where a collector files a return on a consolidated basis, the allowance payable to the collector is to be calculated on the total tax collected as reported on the consolidated return.

(8) No allowance is payable with respect to any tax reported by the collector pursuant to subsection 47(9).

(9) For the purposes of subsection (5), a return is deemed to be filed when it is received by the minister pursuant to section 49.

27 Nov 92 SR 133/92 s15; 27 Jan 95 SR 2/95 s6.

Collector's returns

47(1) Subject to subsection (4) and unless otherwise requested by the minister, a collector shall file separate returns covering the quarterly periods of each year.

(2) Returns are to be filed on or before:

- (a) April 20, with respect to the first quarter of the year;
- (b) July 20, with respect to the second quarter of the year;
- (c) October 20, with respect to the third quarter of the year;
- (d) January 20, in the following year, with respect to the fourth quarter of the year.

(3) Unless otherwise requested by the minister, the collector shall file monthly returns where, during any year:

- (a) a collector collects tax in excess of \$7,200;
- (b) the collector is deemed by the Act to have collected tax in excess of \$7,200; or
- (c) a collector's returns, filed pursuant to these regulations in respect of a period, indicate that tax was collected by the collector in excess of \$7,200.

(4) The minister may require a collector, by notice in writing, to file separate monthly returns for each month of the year, and the collector shall file monthly returns until otherwise requested by the minister.

(5) Any monthly return required under this section is to be filed on or before the 20th day of the month following the month to which the return relates.

(6) Notwithstanding subsections (1) and (4), on the application of the collector where the collector operates on a seasonal basis, the minister may authorize the collector to file returns for only the months the collector operates his or her business.

(7) Notwithstanding subsections (1), (4) and (6), the minister may require a collector, by notice in writing, to file returns annually, and the collector shall file annual returns unless otherwise requested by the minister.

(8) A collector who is required pursuant to subsection (7) to file an annual return shall file his or her annual return on or before January 20 in the year following the year to which the return relates.

(9) In his or her return, a collector shall report the tax on any liquor that he or she purchases or takes out of stock for his or her own consumption, including any liquor he or she permits another person to consume or use.

(10) Unless the filing of a consolidated return is approved by the minister, a collector shall file a separate return for each of his or her places of business.

(11) A collector shall file a return under this section whether or not he or she has collected any tax.

(12) When a collector disposes of or discontinues his or her business, the collector shall file, within 15 days after the disposal or discontinuance, a return for any unreported period.

27 Nov 92 SR 133/92 s16; 5 Jun 98 SR 41/98 s4;
9 May 2003 SR 34/2003 s31.

Remittance of tax

48 When a collector submits a return pursuant to section 47, the collector shall remit to the minister an amount equal to the amount of tax collected and payable by the collector with respect to the preceding period, as shown in the return, less any allowance payable pursuant to section 46.

14 Feb 86 cD-22.02 Reg 2 s48; 4 Mar 88
SR 12/88 s8; 27 Nov 92 SR 133/92 s17; 9 May
2003 SR 34/2003 s32.

Deductions for bad debts

48.1(1) The tax imposed pursuant to *The Liquor Consumption Tax Act* is a tax for which a deduction pursuant to section 49.1 of the Act may be made.

(2) In this section, “**tax portion**” means:

- (a) with respect to a sale made before April 1, 1991, 9.09%;
- (b) with respect to a sale made on or after April 1, 1991 but before April 2, 2002, 6.54%; and
- (c) with respect to a sale made on or after April 2, 2002, 9.09%.

(3) The amount of the deduction from tax that a collector may make pursuant to section 49.1 of the Act is equal to:

- (a) where the collector has failed to recover any part of the amount written off as a bad debt, 100% of the amount of tax previously remitted by the collector with respect to that sale; or
- (b) where the collector has recovered part of the account payable before it is written off as a bad debt, the tax portion of the amount written off, excluding:
 - (i) any tax payable pursuant to Part IX of the *Excise Tax Act* (Canada);
 - (ii) any penalties or interest imposed by the collector for late payment; and
 - (iii) any carrying, finance or similar charges;

that are included in the amount written off.

(4) A collector who recovers all or part of a bad debt with respect to which a deduction from tax has been made pursuant to section 49.1 of the Act shall pay an amount to the minister pursuant to subsection 49.1(4) of the Act equal to:

(a) where all of the amount written off is recovered, 100% of the amount previously deducted pursuant to section 49.1 of the Act with respect to that transaction;

(b) where less than all of the amount written off is recovered, the tax portion of the amount recovered, excluding any amount the collector is required to pay pursuant to subsection 231(3) of Part IX of the *Excise Tax Act* (Canada).

27 Nov 92 SR 133/92 s18; 9 May 2003 SR 34/
2003 s33.

Receipt of return, remittance

49 A return or remittance of tax is deemed to be received by the minister on the date shown in the department's records.

14 Feb 86 cD-22.02 Reg 2 s49.

49.1 Repealed. 7 Jan 2000 SR 97/1999 s8.

Interest

50(1) For the purposes of clauses 57(1)(b) and 58(1.1)(b) of the Act, the prescribed rate of interest per annum with respect to unpaid tax is the rate equal to the sum of:

(a) the prime lending rate of the bank holding Saskatchewan's general revenue fund as determined and adjusted in accordance with this section; and

(b) three percentage points.

(2) The interest rate prescribed by this section shall be determined on June 15 and December 15 in each year and:

(a) the interest rate as determined on June 15 shall apply to unpaid tax that is owing on or after July 1; and

(b) the interest rate as determined on December 15 shall apply to unpaid tax that is owing on or after January 1 of the following year.

27 May 88 SR 37/88 s9; 2004, c10 s17; 3 Apr
2009 SR 28/2009 s8.

PART VIII Tobacco Tax

Repealed. 4 Dec 98 SR 85/98 s2.

PART VIII.01
The Tobacco Tax Act, 1998

Interpretation of Part**58.01** In this Part:

- (a) **“consumer”** means a consumer as defined in *The Tobacco Tax Act, 1998*;
- (b) **“licensed importer”** means a licensed importer as defined in *The Tobacco Tax Act, 1998*;
- (c) **“marked tobacco”** means marked tobacco as defined in *The Tobacco Tax Act, 1998*;
- (d) **“recipient”** means a recipient as defined in *The Tobacco Tax Act, 1998*;
- (e) **“retail dealer”** means a recipient who sells tobacco to a consumer or who maintains a stock of tobacco for the purpose of sale to consumers;
- (f) **“unmarked tobacco”** means unmarked tobacco as defined in *The Tobacco Tax Act, 1998*.

4 Dec 98 SR 85/98 s2.

Application of Part

58.02 This Part applies only to tax to be paid, collected or remitted pursuant to *The Tobacco Tax Act, 1998*.

4 Dec 98 SR 85/98 s2.

Required records

58.03 Every collector and retail dealer shall keep records that, in the opinion of the minister, are necessary to:

- (a) disclose an accurate account of the disposition of all marked tobacco and unmarked tobacco that the collector or retail dealer has or has had in his or her possession at any time, whether the collector or retail dealer acquires the tobacco from another person or was the manufacturer of the tobacco; and
- (b) properly complete all forms that are required to be filed pursuant to the Act, these regulations, *The Tobacco Tax Act, 1998* and *The Tobacco Tax Regulations, 1998*.

4 Dec 98 SR 85/98 s2.

Declaration and remittance on change in rate of tax

58.04 Following a change in the rate of tax, the minister may require any collector to:

- (a) immediately make a tobacco inventory declaration in the manner and containing the information that is required by the minister; and
- (b) not later than the 20th day of the month following the change in the rate of tax, remit to the minister any additional tax payable on the collector's tobacco inventories.

4 Dec 98 SR 85/98 s2.

Required time of certain remittances

58.05(1) For the purposes of section 4 of *The Tobacco Tax Act, 1998*, a recipient who imports tobacco into Saskatchewan and is required to provide notice of the importation to the minister in accordance with section 8 of *The Tobacco Tax Act, 1998* shall immediately remit the tax payable to the minister when the tobacco enters Saskatchewan.

(2) For the purposes of section 4 of *The Tobacco Tax Act, 1998*, a recipient who grows tobacco in Saskatchewan for commercial purposes shall remit the tax payable to the Crown on or before the 20th day of the month following the date of becoming liable to pay tax.

4 Dec 98 SR 85/98 s2.

Collector's returns and remittance

58.06(1) Subject to subsection (2), a collector shall file a return and remittance of tax once in each month.

(2) The period to which a return and remittance of tax is to relate is:

(a) one month; or

(b) any other period that is required by the minister.

(3) A collector shall ensure that the collector's return includes a schedule detailing the collector's tobacco transactions, showing separately marked tobacco and unmarked tobacco.

(4) Both the return and the schedule mentioned in subsection (3) are to contain any information and be in any form that the minister requires.

(5) A collector shall file a required return and remittance of tax not later than the 20th day following the end of the month to which the return and remittance relates.

(6) Unless the filing of a consolidated return is approved by the minister, the collector shall file a separate return for each of the collector's places of business.

(7) A collector shall file a return pursuant to this section whether or not the collector has collected any tax.

(8) A return or a remittance of tax is deemed to be received by the minister on the date shown on the department's records.

4 Dec 98 SR 85/98 s2.

Reports by importers other than licensed importers

58.07 A person required to make a report required pursuant to section 8 of *The Tobacco Tax Act, 1998* shall include in the report:

(a) the name and address of the person importing the tobacco;

(b) the name and address of the person from whom the tobacco was acquired;

(c) the quantity and a description of tobacco being imported; and

(d) a copy of the invoice.

4 Dec 98 SR 85/98 s2.

Retention of records

58.08(1) Subject to subsection (2), every collector and retail dealer shall preserve for six years all books, accounts, records and documents required by the Act, these regulations, *The Tobacco Tax Act, 1998* and *The Tobacco Tax Regulations, 1998*.

(2) On the application of a collector or retail dealer, the minister may authorize in writing the destruction of any books, accounts, records or documents on a date earlier than that mentioned in subsection (1).

4 Dec 98 SR 85/98 s2.

Commission

58.09(1) Subject to subsection (2), the minister may pay to a collector a commission on the collection and remission of tax in an amount equal to:

(a) 3% of the first \$1,000 tax collected and remitted each month to the minister; and

(b) 0.25% of any balance of tax collected and remitted in that month to the minister.

(2) In each calendar year beginning on or after January 1, 1999, the maximum commission to which a collector is entitled pursuant to this section is \$10,000.

(3) A collector who is entitled to a commission pursuant to this section shall bear the cost of remitting the tax out of the collector's commission.

(4) No collector is entitled to a commission pursuant to this section if the collector fails:

(a) to file any return required by this Part with the minister within the times required by this Part; or

(b) fails to remit tax as required by this Part within the times required by this Part.

(5) Notwithstanding subsection (4), the minister may pay a commission to a collector described in that subsection if the minister has, pursuant to section 58.1 of the Act, waived the interest or penalty otherwise payable by the collector.

(6) For the purposes of subsection (4), a return is deemed to be filed when it is received by the minister pursuant to subsection 58.06(8).

4 Dec 98 SR 85/98 s2.

58.091 Repealed. 7 Jan 2000 SR 97/1999 s9.

Interest

58.092(1) For the purposes of clauses 57(1)(b) and 58(1.1)(b) of the Act, the prescribed rate of annual interest with respect to unpaid tax is the rate equal to the sum of:

- (a) the prime lending rate of the bank holding Saskatchewan's general revenue fund as determined and adjusted in accordance with this section; and
 - (b) three percentage points.
- (2) The interest rate prescribed by this section shall be determined on June 15 and December 15 in each year and:
- (a) the interest rate as determined on June 15 shall apply to unpaid tax that is owing on or after July 1; and
 - (b) the interest rate as determined on December 15 shall apply to unpaid tax that is owing on or after January 1 of the following year.

4 Dec 98 SR 85/98 s2; 3 Apr 2009 SR 28/2009 s9.

PART VIII.I**Environmental Handling Charge and Refundable Deposit****Interpretation of Part**

58.1 In this Part:

- (a) **"collector"** means a collector as defined in clause 14.1(a) of *The Litter Control Act*;
- (b) **"designated container"** means a designated container as defined in clause 14.1(b) of *The Litter Control Act*;
- (c) **"distributor"** means a distributor as defined in clause 14.1(c) of *The Litter Control Act*;
- (d) **"environmental handling charge"** means an environmental handling charge as defined in clause 14.82(1)(a) of *The Litter Control Act*;
- (e) **"purchaser"** means a purchaser as defined in clause 14.1(f) of *The Litter Control Act*;
- (f) **"refundable deposit"** means a refundable deposit as defined in clause 14.82(1)(b) of *The Litter Control Act*;
- (g) **"retailer"** means a retailer as defined in clause 14.1(g) of *The Litter Control Act*.

25 Nov 88 SR 100/88 s3.

Application of Part

58.2 This Part applies only to the environmental handling charge and refundable deposit to be paid, collected or remitted pursuant to Part II of *The Litter Control Act*.

25 Nov 88 SR 100/88 s3.

Account books, records required to be kept

58.3 Every collector shall maintain account books showing, with respect to each month during which the collector carries on business in Saskatchewan:

- (a) the collector's production of beverages in designated containers;
- (b) the collector's imports of beverages in designated containers from locations outside Saskatchewan;
- (c) the collector's exports of beverages in designated containers to locations outside Saskatchewan;
- (d) the collector's purchase of beverages in designated containers from other distributors;
- (e) the collector's sales of beverages in designated containers to other distributors;
- (f) the collector's sales of beverages in designated containers to purchasers or retailers;
- (g) the amount of the environmental handling charges and refundable deposits that the collector has:
 - (i) collected from purchasers and retailers; and
 - (ii) paid to the minister.

25 Nov 88 SR 100/88 s3; 9 May 2003 SR 34/
2003 s34; 9 May 2003 SR 34/2003 s34.

Retention of records

58.4(1) Subject to subsection (2), every collector shall preserve for six years all books, accounts, records and documents required by the Act, these regulations and *The Litter Control Act*.

(2) On the application of a collector, the minister may authorize the destruction of any books, accounts, records or documents on a date earlier than that mentioned in subsection (1).

25 Nov 88 SR 100/88 s3.

Return required

58.5(1) On or before the 20th day of each month, a collector shall file with the minister a return in the form required by the minister.

(2) Notwithstanding subsection (1), the minister may authorize a collector to file returns on a less frequent basis if the number of designated containers distributed monthly by the collector is less than 5,000.

(3) A collector shall file a return pursuant to this section whether or not the collector has distributed any designated containers.

25 Nov 88 SR 100/88 s3; 9 May 2003 SR 34/
2003 s35.

Remittance

58.6 When a collector submits a return pursuant to section 58.5, the collector shall remit to the minister an amount equal to the total of the environmental handling charges and refundable deposits collected by the collector with respect to the preceding month or months, as shown in the return.

25 Nov 88 SR 100/88 s3; 9 May 2003 SR 34/
2003 s36.

Receipt of return, remittance

58.7 A return or remittance is deemed to be received by the minister on the date shown in the department's records.

25 Nov 88 SR 100/88 s3.

Interest

58.8(1) For the purposes of clauses 57(1)(b) and 58(1.1)(b) of the Act, the prescribed rate of interest per annum with respect to any unremitted environmental handling charge or refundable deposit is the rate equal to the sum of:

- (a) the prime lending rate of the chartered bank holding the general revenue fund; and
- (b) three percentage points;

determined on June 15 and December 15 in each year and applied in accordance with subsections (2) and (3).

(2) The interest rate as determined on June 15 of any year shall apply to any unremitted environmental handling charge or refundable deposit that is owing in the period commencing on July 1 and ending on December 31 of that year.

(3) The interest rate as determined on December 15 of any year shall apply to any unremitted environmental handling charge or refundable deposit that is owing in the period commencing on January 1 and ending on June 30 of the following year.

25 Nov 88 SR 100/88 s3; 2004, c10 s17 ; 3 Apr
2009 SR 28/2009 s10.

The Medical Care Insurance Beneficiary and Administration Regulations

being

Chapter S-29 Reg 13 (effective October 19, 1988) as amended by Saskatchewan Regulations 17/91, 18/91, 41/92, 56/92, 58/92, 83/92, 147/92, 62/93, 80/93, 54/96, 17/97, 35/97, 11/2005 and 16/2009.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER S-29 REG 13

The Saskatchewan Medical Care Insurance Act

TITLE

Title

- 1 These regulations may be cited as *The Medical Care Insurance Beneficiary and Administration Regulations*.

INTERPRETATION

Interpretation

- 2 In these regulations:

- (a) **"Act"** means *The Saskatchewan Medical Care Insurance Act*;
- (b) **"clinic"**, when used with reference to services provided by a physician, means the arrangement whereby:
 - (i) two or more physicians are practising their profession; and
 - (ii) the records and histories of the patients of those physicians are being maintained jointly;

and this clause applies *mutatis mutandis* to optometrists, chiropractors and dentists;

- (c) **"correctional facility"** means a correctional facility as defined in *The Corrections Act*;
- (d) **"council of the College"** means the council of the College of Physicians and Surgeons of the Province of Saskatchewan;
- (e) **"diagnostic x-ray procedure"** means a service of the kind listed in section X of the physician payment schedule under the heading Diagnostic Radiology or of the kind listed in the Medical Care Insurance Branch Payment Schedule for Insured Services Provided by a Chiropractor under the heading "X-ray Services";
- (f) **"educational institution"** means an elementary, technical, vocational or high school, a college, university or any other educational institution approved by the minister for the purposes of these regulations;
- (g) **"hospital"** means a hospital as defined in *The Saskatchewan Hospitalization Act*;
- (h) **Repealed.** 27 Jne 97 SR 35/97 s3.

(i) **"partial examination"** means an examination of the eyes requested by the patient that includes patient history, functional enquiry, examination and assessment, diagnosis, record and necessary advice to the patient provided by an optometrist;

(j) **"physician payment schedule"** means the physician payment schedule as defined in *The Medical Care Insurance Payment Regulations*;

(k) **"routine examination of the eyes"** means an examination of the eyes that includes:

- (i) case history;
- (ii) visual acuity;
- (iii) external examination;
- (iv) assessment of extraocular muscles;
- (v) convergence testing;
- (vi) pupil response;
- (vii) accommodation;
- (viii) examination of cornea, lens, media and fundus;
- (ix) determination of refractive error or change;
- (x) instruction, information and advice to the patient with respect to the status of his vision and its future management;
- (xi) provision of the necessary spectacle prescription;

(l) **"specialist in pathology"** means a specialist whose name appears on the list of specialists maintained by the council of the College as being a specialist in pathology;

(m) **"specialist in radiology"** means a specialist whose name appears on the list of specialists maintained by the council of the College as being a specialist in radiology;

(n) **"specialist in therapeutic radiology"** means a specialist whose name appears on the list of specialists maintained by the council of the College as being a specialist in therapeutic radiology;

(o) **"student"** means a person attending an educational institution on a full-time basis as defined by the educational institution;

(p) **"therapeutic radiology or isotope procedure"** means a service of the kind described in section Y of the physician payment schedule;

(q) **"tonometry"** means the measurement of eye tension with a tonometer.

(r) **"visit service"** means a service of the kind listed in the Medical Care Insurance Branch Payment Schedule for Insured Services Provided by a Chiropractor under the heading "Visit Services".

Persons declared residents

3 For the purposes of clause 2(q) of the Act, the following persons are declared to be residents:

(a) a person who had been a resident and who leaves Saskatchewan with the intention of establishing residence elsewhere but who re-establishes residence in Saskatchewan before the first day of the third month after the day he leaves Saskatchewan is a resident during his absence from Saskatchewan;

(b) a person whose principal place of residence is in Saskatchewan and who proves to the satisfaction of the minister that he or she is physically present in Saskatchewan for a period of at least six months of each year is a resident during that person's absence from Saskatchewan.

(b.1) a person whose principal place of residence is in Saskatchewan and who proves to the satisfaction of the minister that, during a year:

(i) he or she is physically present in Saskatchewan on different occasions but not for the period of six months required by clause (b);

(ii) the nature of his or her employment requires travel from place to place outside Canada, but his or her absence from Saskatchewan is not for the purpose of accepting a contract or series of contracts of employment outside Canada; and

(iii) he or she has not established residence outside of Saskatchewan;

is a resident during the periods in that year in which he or she is outside Saskatchewan;

(c) a person who had been a resident and who is ordinarily physically present in Saskatchewan but who leaves Saskatchewan for not more than 12 consecutive months for the purpose of a vacation, visit, business engagement or employment and who proves to the satisfaction of the minister that he or she intends to return to Saskatchewan at the end of the period of absence is a resident during his or her absence from Saskatchewan;

(d) a person who had been a resident and who is ordinarily physically present in Saskatchewan, but who proves to the satisfaction of the minister that he or she is:

(i) in full-time attendance as a student at an educational institution outside Saskatchewan; or

(ii) taking advanced or supplementary professional, technical or skills training outside Saskatchewan while on educational leave from employment;

and that he or she intends to return to Saskatchewan immediately on completing his or her studies or training, as the case may be, including additional time spent by him outside Saskatchewan not exceeding 60 days, for the purpose of travelling or because of circumstances requiring him or her to be absent from Saskatchewan, is a resident during his absence from Saskatchewan;

(e) where a person:

- (i) is employed pursuant to a contract outside Canada for a period of not more than 24 months;
- (ii) had been a resident immediately prior to leaving Canada for that purpose; and
- (iii) proves to the satisfaction of the minister that he or she intends to resume residence in Saskatchewan after completing that employment, including additional time spent by him or her outside Saskatchewan not exceeding 60 days, for the purpose of travelling or because of circumstances requiring him or her to be absent from Saskatchewan;

that person is a resident during that period that he is outside Canada;

(f) subject to clauses (b) to (d), a person who had been a resident and who leaves Saskatchewan with the intention of establishing residence elsewhere is a resident up to but not including the first day of the third month immediately following his or her establishment of residence outside Saskatchewan;

(g) a person who is:

- (i) a dependant of another person who has become a resident;
- (ii) not married; and
- (iii) ordinarily present and entitled to remain in Canada, although he may not be physically present in Saskatchewan;

is a resident during the first 12 consecutive months after the other person on whom he depends for maintenance has become a resident, but not after the end of the calendar year in which he attains the age of 21 years.

28 Oct 88 cS-29 Reg 13 s3; 15 Mar 91
SR 18/91 s2; 25 Feb 2005 SR 11/2005 s3.

BENEFICIARIES

Date of benefit

4(1) Subject to the other provisions of these regulations and the Act, every resident:

- (a) in the case of an unmarried person, is entitled to insured services on and from the first day of the third month following the day he establishes residence in Saskatchewan;

- (b) in the case of a married person who is not living apart from his spouse pursuant to a decree of judicial separation, under a separation agreement or because of desertion on his part or the part of his spouse, is entitled to insured services on and from the first day of the third month following the day he or his spouse establishes residence in Saskatchewan, whichever day is later.
- (2) Subject to clause 7(1)(a), a person who enters Saskatchewan as a student and who subsequently decides to become a resident is entitled to insured services on the first day of the third month following the month in which he decides to establish residence in Saskatchewan.
- (3) Notwithstanding subsection (2), a student who enters Saskatchewan from another province or territory of Canada is not entitled to insured services until he proves, to the satisfaction of the minister, that he has ceased to be eligible to have payment made by that province or territory with respect to services he may have received from any physician or other qualified person.

28 Oct 88 cS-29 Reg 13 s4.

Other beneficiaries

5(1) Subject to subsection (2), for the purposes of section 12 of the Act, the following persons are declared to be beneficiaries:

- (a) an inmate of a correctional facility during the period he is in custody;
- (b) a person who is an in-patient, as defined in *The Mental Health Services Act*, of a facility, as defined in that Act, other than a person who is entitled to have payment in full made at the expense of the Government of Canada with respect to any insured services he receives;
- (c) a person who is admitted to a facility, as defined in *The Mental Health Services Act*, pursuant to sections 17, 18, 19, 21, 22, 23 or 24 of that Act during the period that he continues to be an in-patient of that facility pursuant to that Act, other than a person who is entitled to have payment in full made at the expense of the Government of Canada in respect of any insured services he receives;
- (d) subject to clause (e), a person who has been nominated under *The Saskatchewan Assistance Act* and the regulations made pursuant to that Act, from the effective date of nomination;
- (e) a person who has been, for a period of not more than three months, nominated under *The Saskatchewan Assistance Act* and the regulations pursuant to that Act, for the purpose of this clause, from the effective date of the nomination;
- (f) a person to whom a supplemental allowance is being paid under *The Saskatchewan Assistance Act* and the regulations made pursuant to that Act and the spouse and dependants of that person;
- (g) a child in the care of the Minister of Social Services from the date of the commencement of that care;

- (h) on and from July 1, 1972:
 - (i) a person who:
 - (A) was in receipt of assistance under *The Saskatchewan Assistance Act, 1966*, as of January 1, 1967, April 1, 1971 or July 1, 1972;
 - (B) became ineligible to receive assistance under *The Saskatchewan Assistance Act, 1966* on January 1, 1967, April 1, 1971 or July 1, 1972, as the case may be, by reason of receiving a Guaranteed Income Supplement from the Government of Canada; and
 - (C) was nominated by the Department of Social Services in the year 1967, 1971 or 1972, as the case may be, for the purpose of these regulations;
 - (ii) the spouse of a person described in subclause (i); and
 - (iii) every dependant of a person described in subclause (i) who is not married and who:
 - (A) is under 18 years of age prior to commencement of the current year;
 - (B) has reached his majority, as determined by *The Age of Majority Act*, within three years immediately preceding the commencement of the current year and is attending an educational institution; or
 - (C) is dependent on that person for maintenance by reason of physical or mental infirmity;
 - (i) a person designated by an officer of the Department of Social Services as a person to whom rehabilitation services are being given by that department, from the effective date of the designation;
 - (j) the Agent General for Saskatchewan;
 - (k) an employee of the Agent General for Saskatchewan whose ordinary residence is in Canada and who is required to reside outside of Canada in London, England by reason of his employment with the Government of Saskatchewan;
 - (l) the spouse and any dependant of a person described in clause (j) or (k) if the spouse or dependant resides with that person;
 - (m) Her Majesty and any member of Her Majesty's family when present in Saskatchewan by invitation of the Government of Canada;
 - (n) a person, who is not ordinarily resident in Canada, acting as a member of the staff or household of a person mentioned in clause (m) when accompanying that person in Saskatchewan.
- (2) A person who is declared a beneficiary pursuant to clauses (1)(d) to (l) ceases to be a beneficiary on the effective date that his nomination, designation or other entitlement is cancelled or ceases to exist.

Special residents

6(1) In this section:

(a) **Repealed.** 25 Feb 2005 SR 11/2005 s4.

(a.1) **“non-Canadian spouse of a Canadian citizen”** means a person:

- (i) who is not a Canadian citizen;
- (ii) who has been lawfully admitted to Canada;
- (iii) who is the spouse of a Canadian citizen who is a beneficiary and is living with that spouse in Saskatchewan;
- (iv) whose application for permanent residence as a member of the family class within the meaning of the *Immigration and Refugee Protection Act* (Canada) has been sponsored by the beneficiary spouse mentioned in subclause (iii); and
- (v) who has been allowed to remain in Canada pending adjudication of his or her application for permanent residence;

(b) **“non-immigrant”** means a person who is:

- (i) a member of the clergy or member of a religious order who has been lawfully admitted to Canada and is in Saskatchewan for the purpose of carrying out his or her religious duties;
- (ii) a student who has been lawfully admitted to Canada and is in full-time attendance at an educational institution in Saskatchewan;
- (iii) engaged in a legitimate profession, trade or occupation, has been lawfully admitted to Canada and is in Saskatchewan for the temporary exercise of his or her calling or for the purpose of receiving training that is promoted by a department of the Government of Saskatchewan and is related to that calling;
- (iv) a person who has been allowed to enter and remain in Canada under authority of a permit issued by the Minister of Manpower and Immigration of Canada; or
- (v) the spouse or a dependant of a person mentioned in subclauses (i) to (iv);

and who has been lawfully admitted to Canada and Saskatchewan and establishes residence in Saskatchewan before the first day of the third month after having been so admitted;

(b.1) **“permanent resident”** means a person who:

- (i) is not a Canadian citizen;
- (ii) has been lawfully admitted to Canada as a permanent resident;
- (iii) is in possession of a status document within the meaning of section 31 of the *Immigration and Refugee Protection Act* (Canada) indicating the person's status as a permanent resident;

- (iv) has not lost permanent resident status pursuant to section 46 of the *Immigration and Refugee Protection Act* (Canada); and
 - (v) establishes residence in Saskatchewan before the first day of the third month after having been lawfully admitted as a permanent resident;
- (c) **“returning Canadian citizen”** means a person who:
- (i) is a Canadian citizen within the meaning of the *Citizenship Act* (Canada), as amended from time to time;
 - (ii) has been lawfully readmitted to Canada; and
 - (iii) establishes residence in Saskatchewan before the first day of the third month after having been so readmitted;
- (d) **“returning member of the Canadian Forces”** means a person who:
- (i) was a member of the Canadian Forces while serving outside Canada;
 - (ii) has been lawfully readmitted to Canada as a member of the Canadian Forces;
 - (iii) establishes residence in Saskatchewan before the first day of the third month after having been so readmitted; and
 - (iv) was discharged from the Canadian Forces before the first day of the third month after the establishment of residence in Saskatchewan;
- (e) **“returning resident”** means a person who:
- (i) is not a Canadian citizen;
 - (ii) has been granted permanent resident status pursuant to the *Immigration and Refugee Protection Act* (Canada) and has not lost that status pursuant to section 46 of that Act;
 - (iii) is in possession of a status document within the meaning of section 31 of the *Immigration and Refugee Protection Act* (Canada) indicating the person's status as a permanent resident;
 - (iv) after being outside of Canada, has been lawfully readmitted to Canada as a permanent resident pursuant to the *Immigration and Refugee Protection Act* (Canada); and
 - (v) establishes residence in Saskatchewan before the first day of the third month after having been lawfully readmitted as a permanent resident;
- (f) **“returning spouse of a member of the Canadian Forces”** means a person who:
- (i) is a spouse of a member of the Canadian Forces and who has been residing outside Canada with that member;
 - (ii) has been lawfully readmitted to Canada while a spouse of the member of the Canadian Forces; and
 - (iii) establishes residence in Saskatchewan before the first day of the third month after having been so readmitted;

(g) **“special resident”** means:

- (i) a permanent resident;
- (ii) a non-immigrant;
- (iii) a returning Canadian citizen;
- (iv) a returning member of the Canadian Forces;
- (v) a returning spouse of a member of the Canadian Forces;
- (vi) a non-Canadian spouse of a Canadian citizen.

(2) Subject to subsections (3), (6) and (7), for the purposes of section 12 of the Act, a special resident becomes a beneficiary on establishing residence in Saskatchewan.

(3) A non-immigrant qualifies as a beneficiary during the period that his visa or permit and any additional visa or permit issued to him applies.

(4) Every resident who is a member of the Royal Canadian Mounted Police or the regular forces of the Canadian Forces becomes a beneficiary immediately on being discharged from the Royal Canadian Mounted Police or the regular forces of the Canadian Forces.

(5) Every resident who is in custody in a correctional facility or federal penitentiary becomes a beneficiary immediately on being discharged or being granted full parole from that correctional facility or penitentiary.

(6) A non-Canadian spouse of a Canadian citizen qualifies as a beneficiary on the day on which his or her completed application for permanent residence is received by the Department of Citizenship and Immigration of the Government of Canada.

(7) A returning Canadian citizen who has a spouse, who is not living apart from the spouse pursuant to a decree of judicial separation, under a separation agreement or because of desertion on his or her part or the part of the spouse and who arrives in Saskatchewan in advance of the spouse qualifies as a beneficiary on the day on which the spouse establishes residence in Saskatchewan.

28 Oct 88 cS-29 Reg 13 s6; 26 Nov 93 SR 91/93
s2; 25 Feb 2005 SR 11/2005 s4.

Persons exempted

7(1) The following persons are exempt from the insured services of the Act:

- (a) students who have entered Saskatchewan from another province or territory of Canada and who are eligible to have payment made by the province or territory in which they had previously resided in respect of insured services they may have received;
- (b) members of the Royal Canadian Mounted Police;
- (c) members of the regular forces of the Canadian Forces;
- (d) persons serving a term of imprisonment in a federal penitentiary maintained by the Government of Canada;
- (e) persons on and from the day they cease to be residents.

(2) Clauses (1)(b) to (d) shall not affect the requirement for registration or entitlement to insured services with respect to any person who is or was a spouse or dependant of a person mentioned in any of those clauses.

28 Oct 88 cS-29 Reg 13 s7.

Report to minister

8 Where the minister has received information that a beneficiary has left Saskatchewan, that person ceases to be a beneficiary on and from the first day of the third month after the day he left Saskatchewan unless that person provides evidence to the satisfaction of the minister with respect to:

- (a) the day of his departure from Saskatchewan;
- (b) the day he established residence outside Saskatchewan;
- (c) the purpose of his departure;
- (d) his anticipated date of return to Saskatchewan; and
- (e) any other information necessary to establish his continuing eligibility as a beneficiary in accordance with these regulations.

28 Oct 88 cS-29 Reg 13 s8.

INSURED SERVICES PROVIDED OUTSIDE SASKATCHEWAN

9 **Repealed.** 24 Dec 92 SR 147/92 s3.

EXCLUSIONS FROM INSURED SERVICES**Limits on non-emergency services**

9.1 For the purposes of subsection 14(3) of the Act, a non-emergency service that is provided outside Canada to a beneficiary is an insured service only if the minister has, in writing, approved payment for the service prior to the service being provided.

24 Dec 92 SR 147/92 s4.

Non-insured services

10 For the purposes of section 15 of the Act, the following services are uninsured services:

- (a) services received by a former member of the Canadian Forces with respect to which he is entitled to have payment made at the expense of the Government of Canada;
- (b) services provided in a facility within the meaning of *The Mental Health Services Act* to a patient of that facility;
- (c) services to which a person is entitled under *The Workers' Compensation Act, 1979* or any former *Workers' Compensation Act*;
- (d) services that a person is eligible to receive from, or for which he is entitled to be reimbursed by:
 - (i) any provincial government;
 - (ii) the Government of Canada; or
 - (iii) any other jurisdiction as specified in an agreement with the Government of Canada;

- (e) plastic or other surgery for cosmetic purposes;
 - (f) services provided by an optometrist, other than those services described in sections 17 to 20;
 - (g) services provided by a dentist, other than those services described in clause 13(d) or section 16;
 - (h) subject to section 12, services rendered by a person other than a physician, optometrist, dentist or chiropractor;
 - (i) any service that is provided in conjunction with another service that is an uninsured service;
 - (i.1) dental anaesthesia, other than dental anaesthesia that is provided:
 - (i) to a beneficiary who is under 14 years of age in conjunction with another service that is an uninsured service; and
 - (ii) in either:
 - (A) a hospital by a physician; or
 - (B) a dental surgery by a physician who is a specialist in anaesthesia;
 - (j) drugs and appliances;
 - (k) advice by telephone, other than advice by telephone respecting a patient that is provided by a physician in response to a telephone request made by a health care provider who provides home care services to that patient;
 - (l) an examination of a patient respecting the state of his mental or physical health or the extent of his mental or physical disability, or a medical report or certification in connection therewith, except for:
 - (i) a medical examination and certificate authorizing admission to an in-patient facility within the meaning of *The Mental Health Services Act*;
 - (ii) an examination and medical report required for the purpose of adoption; or
 - (iii) an examination and medical report of a beneficiary to determine whether he may become a foster parent;
- where required for the information of a third party or for judicial purposes;
- (m) diagnostic x-ray procedures, other than those described in section 13;
 - (n) laboratory procedures, other than those described in section 14;
 - (o) services provided by a person to himself or to his spouse or to his dependants who are not married and who are:
 - (i) under 18 years of age;
 - (ii) under 21 years of age and attending a secondary school, university or other educational institution; or
 - (iii) dependent on that person for maintenance for any reason;

- (p) intermittent positive pressure breathing;
- (q) therapeutic radiology or isotope procedures, other than those described in section 15;
- (r) services provided during the same day by a physician or other person providing insured services to a group of persons other than a single family:
 - (i) pursuant to a group diagnostic screening or immunization arrangement; or
 - (ii) where those persons have assembled for the purpose of receiving those services as part of a group arrangement;

unless the department has been notified in advance by the physician or other person, as the case may be, that those services are to be provided and an agreement with respect to payment for the services about to be provided has been entered into between the minister and the physician or other person providing the services;

- (s) acupuncture;
- (t) cataract surgery services or magnetic resonance imaging services provided outside Saskatchewan to a beneficiary, unless:
 - (i) the payment for the service is authorized by an agreement made pursuant to section 10 of *The Saskatchewan Medical Care Insurance Payment Regulations, 1994*; or
 - (ii) the minister has, in writing, approved payment for the service before the service is provided;
- (u) reversals of sterilization;
- (v) implantation of a penile prosthesis;
- (w) electrolysis;
- (x) non-medically required circumcision.

28 Oct 88 cS-29 Reg 13 s10; 24 Dec 92
SR 147/92 s5; 26 Jly 96 SR 54/96 s2; 11 Apr 97
SR 17/97 s2; 6 Mar 2009 SR 16/2009 s2.

Cancer services not insured

11 For the purposes of section 15 of the Act, the following services are uninsured services:

- (a) **Repealed.** 27 Jne 97 SR 35/97 s4.
- (b) **Repealed.** 27 Jne 97 SR 35/97 s4.
- (c) **Repealed.** 27 Jne 97 SR 35/97 s4.
- (d) screening mammography for women whose age is not less than 50 years and not more than 69 years.

28 Oct 88 cS-29 Reg 13 s11; 24 Dec 92 SR 147/
92 s6; 24 Sep 93 SR 62/93 s2; 27 Jn3 97 SR 35/
97 s4.

Certain supervised services insured

12 Subject to section 15 of the Act and the other provisions of these regulations, a service supervised by a physician is an insured service and is deemed to have been provided by him where the service is provided by:

- (a) a person during the period in which he is registered in the educational register of the College of Physicians and Surgeons of the Province of Saskatchewan as an intern, a resident, a junior undergraduate rotating student intern or as a person taking other postgraduate training in Saskatchewan as a physician, where that service is provided by him as part of his course of training;
- (b) another physician providing the service, as part of a course of instruction being administered by the College of Medicine of The University of Saskatchewan, who cannot charge for this service;
- (c) a person employed by a physician in the physician's office and for whose work the physician assumes overall responsibility and provides intermittent, daily personal supervision and the service is:
 - (i) a diagnostic procedure involving a tracing;
 - (ii) an intra-muscular, intra-dermal or sub-cutaneous injection; or
 - (iii) a specimen collection;
- (d) a person who provides services pursuant to clause 13(c) or 14(1)(c) or subsection 14(2).

28 Oct 88 cS-29 Reg 13 s12.

Certain diagnostic x-ray procedures insured

13 Subject to section 15 of the Act, a diagnostic x-ray procedure is an insured service where it is provided entirely outside a hospital and where it is provided by:

- (a) a specialist in radiology;
- (b) a physician who is serving as a locum tenens for a specialist in radiology if his appointment as a locum tenens for the specialist has been approved by council of the College;
- (c) a person employed by a specialist in radiology and for whose work the specialist or a person described in clause (b) assumes overall responsibility and provides intermittent, daily personal supervision;
- (d) a dentist who is certified by The College of Dental Surgeons of Saskatchewan as being a specialist in oral radiology if provision for payment for the service is made in an agreement between the minister and The College of Dental Surgeons of Saskatchewan; or
- (e) a chiropractor if provision for payment for the service is made in an agreement between the minister and the Chiropractors' Association of Saskatchewan.

28 Oct 88 cS-29 Reg 13 s13.

Certain laboratory procedures insured

14(1) For the purposes of clause 15(a.1) of the Act and subject to the other provisions of section 15 of the Act, a laboratory procedure is an insured service where it is included in List 1 or List 2 of section V of the physician payment schedule, where it is provided entirely outside a hospital and where it is provided by:

- (a) a specialist in pathology;
 - (b) a physician who is serving as a locum tenens for a specialist in pathology if his appointment as a locum tenens for the specialist has been approved by the council of the College; or
 - (c) a person employed by a specialist in pathology and for whose work the specialist or a person described in clause (b) assumes overall responsibility and provides intermittent, daily personal supervision.
- (2) Subject to section 15 of the Act, a laboratory procedure provided entirely outside a hospital is an insured service when it is included in:

- (a) List 1 of section V of the physician payment schedule and is provided by a physician or a person employed by a physician in the physician's office and for whose work the physician assumes overall responsibility and provides intermittent, daily personal supervision, under the circumstances set out in that list; or
- (b) List 2 of section V of the physician payment schedule and is provided by a physician or by a registered laboratory technologist or certified combined laboratory and x-ray technician, who is employed by the physician in the physician's office and for whose work the physician assumes overall responsibility and provides intermittent, daily personal supervision.

28 Oct 88 cS-29 Reg 13 s14; 22 Oct 93
SR 80/93 s3.

Certain services and laboratory procedures not insured

14.1 Notwithstanding sections 12 and 14, where a service described in section 12 or a laboratory procedure described in section 14 is provided in a medical laboratory for which a licence is required pursuant to *The Medical Laboratory Licensing Act*, that service or procedure is not an insured service unless the operator of the medical laboratory holds a valid and subsisting licence issued pursuant to section 7 of that Act that:

- (a) is not suspended; and
- (b) does not prohibit the provision of that service or the performance of that laboratory procedure.

15 Mar 91 SR 17/91 s2.

Laboratory services

14.2 For the purposes of subsection 14(3.1) of the Act and subject to section 15 of the Act, a laboratory service that is provided both outside a hospital and outside Saskatchewan and that is provided to a beneficiary by a specialist in pathology or by a person employed by a specialist in pathology for whose work the specialist assumes overall responsibility and to whom the specialist provides intermittent daily personal supervision, is an insured service, if the service:

- (a) has not been requisitioned by a physician practising in Saskatchewan;
- (b) is not available in Saskatchewan and has been requisitioned by a physician practising in Saskatchewan; or
- (c) is available in Saskatchewan and has been requisitioned by a physician practising in the City of Lloydminster.

22 Oct 93 SR 80/93 s4.

Certain therapeutic radiology or isotope procedures insured

15 Subject to section 15 of the Act, a therapeutic radiology or isotope procedure is an insured service where it is provided:

- (a) entirely outside a hospital; and
- (b) by a specialist in therapeutic radiology.

28 Oct 88 cS-29 Reg 13 s15.

Certain dental services insured

16 Subject to section 15 of the Act, the following services provided by a dentist are insured services:

- (a) oral surgery;
- (b) orthodontic service for the care of cleft palate where the beneficiary receiving the service is referred to the dentist by a physician or another dentist;
- (c) the extraction of any teeth necessary to be performed before the provision of heart surgery services, services for chronic renal disease or services for total joint replacement by prosthesis, where:
 - (i) the beneficiary is referred to the dentist by a specialist in the field of practice in which the services lie;
 - (ii) the specialist recommends that payment be made for the service; and
 - (iii) the minister approves the payment.

28 Oct 88 cS-29 Reg 13 s16.

Routine examination of the eyes

17(1) Subject to subsection (2), a routine examination of the eyes provided by a physician or an optometrist to a beneficiary who is less than 18 years of age is an insured service.

(2) Subject to subsection (3), a routine examination of the eyes mentioned in subsection (1) is not an insured service if a routine examination of the eyes mentioned in subsection (1) was provided to the beneficiary within the preceding 12 months.

(3) A routine examination of the eyes mentioned in subsection (1) is an insured service notwithstanding the provision to the beneficiary of a routine examination of the eyes mentioned in subsection (1) during the preceding 12 months, if the physician or optometrist who provided the examination furnishes the department with evidence satisfactory to the minister that special circumstances required that the service be provided.

12 Jne 92 SR 41/92 s3.

Partial examination

18(1) Subject to subsection (2), a partial examination provided by an optometrist to a beneficiary who is less than 18 years of age is an insured service.

(2) A partial examination mentioned in subsection (1) is not an insured service if:

(a) a routine examination of the eyes mentioned in subsection 17(1) was provided to the beneficiary within the preceding 90 days, unless the optometrist who conducted the partial examination furnishes the department with evidence satisfactory to the minister that special circumstances required that the partial examination be provided; or

(b) the partial examination relates to the provision or wearing of contact lenses.

12 Jne 92 SR 41/92 s4.

Certain chiropractic services

18.1(1) Subject to subsection (2), a visit service or a diagnostic x-ray procedure is an insured service if it is provided by a chiropractor to a beneficiary.

(2) A service mentioned in subsection (1) is not an insured service if the minister may make a payment on the beneficiary's behalf for the service pursuant to the Saskatchewan Assistance Plan Supplementary Health Benefits Regulations, being Saskatchewan Regulations 65/66.

18 Sep 92 SR 83/92 s4.

19 Repealed. 12 Jne 92 SR 41/92 s5.

20 Repealed. 12 Jne 92 SR 41/92 s6.

REPEAL AND COMING INTO FORCE**R.R.S. c.S-29 Reg 1 repealed**

21 *The Medical Care Insurance Commission Beneficiary and Administration Regulations* are repealed.

The Saskatchewan Medical Care Insurance Payment Regulations, 1994

being

Chapter S-29 Reg 19 (effective November 1, 1994) as amended by Saskatchewan Regulations 82/94, 8/96, 31/96, 18/97, 11/98, 62/98, 1/1999, 41/1999, 13/2000, 103/2000, 24/2001, 43/2001, 4/2002, 28/2002, 120/2002, 22/2003, 32/2003, 54/2003, 108/2003, 120/2003, 1/2004, 19/2004, 88/2004, 28/2005, 109/2005, 18/2006, 79/2006, 117/2006, 18/2007, 58/2007, 106/2007, 89/2007, 14/2008, 15/2008, 16/2008, 89/2008 and 48/2009.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER S-29 REG 19

The Saskatchewan Medical Care Insurance Act

Title

- 1 These regulations may be cited as *The Saskatchewan Medical Care Insurance Payment Regulations, 1994*.

Interpretation

- 2 In these regulations:

- (a) **"account"** means an account for payment containing the information required to enable the minister to make payment pursuant to the Act with respect to an insured service;
- (b) **"Act"** means *The Saskatchewan Medical Care Insurance Act*;
- (c) **"registry number"** means a unique number for the purpose of identifying a physician, chiropractor, optometrist or dentist that is known to the physician, chiropractor, optometrist or dentist and is kept on the files of the department for that purpose.

10 Nov 94 cS-29 Reg 19 s2.

Definitions for sections 5 and 6

- 3 For the purposes of sections 5 and 6, with respect to services provided in Saskatchewan:

- (a) **"chiropractor payment schedule"** means:

- (i) for services provided in the period commencing on September 8, 1992 and ending on March 31, 1998, the schedule adopted by the Medical Care Insurance Branch of the department for payment of chiropractor services and entitled "Medical Care Insurance Branch Payment Schedule for Insured Services Provided by a Chiropractor, September 8, 1992" as amended by:

(A) the Saskatchewan Health Chiropractor's Newsletter Number 2, dated November 25, 1992; and

(B) the Saskatchewan Health Chiropractor's Newsletter Number 4, dated December 28, 1994;

(ii) for services provided in the period commencing on April 1, 1998 and ending on March 31, 2006, the schedule adopted by the department for payment of chiropractic services and entitled "Saskatchewan Health Payment Schedule for Insured Services Provided by a Chiropractor, April 1, 1998", as amended by:

(A) the Saskatchewan Health Chiropractor's Newsletter Number 7, dated April 1, 1999;

(B) the Saskatchewan Health Chiropractor's Newsletter Number 8, dated January 1, 2001;

(C) the Saskatchewan Health Chiropractor's Newsletter Number 9, dated April 11, 2001;

(D) the Saskatchewan Health Chiropractor's Newsletter Number 10, dated April 1, 2002;

(E) the Saskatchewan Health Chiropractor's Newsletter Number 11, dated May 1, 2003;

(F) the Saskatchewan Health Chiropractor's Newsletter Number 12, dated April 1, 2004; and

(G) the Saskatchewan Health Chiropractor's Newsletter Number 13, dated April 1, 2005; and

(iii) for services provided in the period commencing on April 1, 2006, the schedule adopted by the ministry for payment of chiropractic services and entitled "Saskatchewan Health Payment Schedule for Insured Services Provided by a Chiropractor, April 1, 2006", as amended by:

(A) the Saskatchewan Health Chiropractor's Newsletter Number 15, dated April 1, 2007; and

(B) the Saskatchewan Health Chiropractor's Newsletter Number 16, dated April 1, 2008;

(b) **"dentist payment schedule"** means:

(i) for services provided in the period commencing on August 1, 1993 and ending on July 31, 1994, the schedule adopted by the Medical Care Insurance Branch of the department for payment of dentist services entitled "Medical Care Insurance Branch Payment Schedule for Insured Services Provided by a Dentist, August 1, 1993";

(ii) for services provided in the period commencing on August 1, 1994, and ending on December 31, 2002 the schedule adopted by the Medical Care Insurance Branch of the department for payment of dentist services entitled "Medical Care Insurance Branch Payment Schedule for Insured Services Provided by a Dentist, August 1, 1994";

(iii) for services provided in the period commencing on January 1, 2003, and ending on March 31, 2003 the schedule adopted by the Medical Services Branch of the department for payment of dentist services entitled "Medical Services Branch Payment Schedule for Insured Services Provided by a Dentist, January 1, 2003";

(iv) for services provided in the period commencing on April 1, 2003 and ending on March 31, 2004, the schedule adopted by the department for payment of dentist services and entitled "Saskatchewan Health Payment Schedule for Insured Services Provided by a Dentist, April 1, 2003";

(v) for services provided in the period commencing on April 1, 2004 and ending on March 31, 2006, the schedule adopted by the department for payment of dentist services and entitled "Saskatchewan Health Payment Schedule for Insured Services Provided by a Dentist, April 1, 2004"; and

(vi) for services provided in the period commencing on April 1, 2006, the schedule adopted by the department for payment of dentist services and entitled "Saskatchewan Health Payment Schedule for Insured Services Provided by a Dentist, April 1, 2006", as amended by the Saskatchewan Health Dentist's Newsletter Number 1, dated June 1, 2007;

(c) **"optometrist payment schedule"** means:

(i) for services provided in the period commencing on April 1, 1994 and ending on May 31, 1996, the schedule adopted by the Medical Care Insurance Branch of the department for payment of optometrist services and entitled "Medical Care Insurance Branch Payment Schedule for Insured Services Provided by an Optometrist, April 1, 1994";

(ii) for services provided in the period commencing on June 1, 1996 and ending on May 31, 1997, the schedule adopted by the department for payment of optometrist services and entitled "Saskatchewan Health Payment Schedule for Insured Services Provided by an Optometrist, June 1, 1996";

(iii) for services provided in the period commencing on June 1, 1997 and ending on December 31, 2000, the schedule adopted by the department for payment of optometrist services and entitled "Saskatchewan Health Payment Schedule for Insured Services Provided by an Optometrist, June 1, 1997";

(iv) for services provided in the period commencing on January 1, 2001, the schedule adopted by the department for payment of optometrist services and entitled "Saskatchewan Health Payment Schedule for Insured Services Provided by an Optometrist, January 1, 2001 and ending on May 31, 2003";

(v) for services provided in the period commencing on June 1, 2003 and ending on March 31, 2005, the schedule adopted by the department for payment of optometrist services and entitled "Saskatchewan Health Payment Schedule for Insured Services Provided by an Optometrist, June 1, 2003";

(vi) for services provided in the period commencing on April 1, 2005 and ending on March 31, 2007, the schedule adopted by the department for payment of optometrist services and entitled "Saskatchewan Health Payment Schedule for Insured Services Provided by an Optometrist, April 1, 2005"; and

(vii) for services provided in the period commencing on April 1, 2007, the schedule adopted by the ministry for payment of optometrist services and entitled "Saskatchewan Health Payment Schedule for Insured Services Provided by an Optometrist, April 1, 2007", as amended by:

(A) the Saskatchewan Health Optometrist Newsletter Number 3, dated April 1, 2008; and

(B) the Saskatchewan Health Optometrist Newsletter Number 4, dated April 1, 2009;

(d) **"physician payment schedule"** means:

(i) for services provided in the period commencing on August 1, 1993 and ending on March 31, 1996, the schedule adopted by the Medical Care Insurance Branch of the department for payment of physician services and entitled "Medical Care Insurance Branch Payment Schedule for Insured Services Provided by a Physician, August, 1, 1993", as amended by:

(A) the Saskatchewan Health Physician's Newsletter number 9, dated April 1, 1994; and

(B) the Saskatchewan Health Physician's Newsletter number 10, dated November 1, 1994;

(ii) for services provided in the period commencing on April 1, 1996 and ending on June 30, 1998, the schedule adopted by the department for payment of physician services and entitled "Saskatchewan Health Payment Schedule for Insured Services Provided by a Physician, April 1, 1996", as amended by the Saskatchewan Health Physician's Newsletter number 13, dated March 31, 1997;

(iii) for services provided in the period commencing on July 1, 1998 and ending on September 30, 2003, the schedule adopted by the department for payment of physician services and entitled "Saskatchewan Health Payment Schedule for Insured Services Provided by a Physician, July 1, 1998", as amended by:

(A) the Saskatchewan Health Physician's Newsletter Number 15, dated December 1, 1998;

(B) the Saskatchewan Health Physician's Newsletter Number 16, dated April 1, 1999;

(C) the Saskatchewan Health Physician's Newsletter Number 17, dated January 1, 2000;

- (D) the Saskatchewan Health Physician's Newsletter Number 18, dated January 1, 2001;
 - (E) the Saskatchewan Health Physician's Newsletter Number 20, dated June 15, 2001;
 - (F) the Saskatchewan Health Physician's Newsletter Number 21, dated January 1, 2002;
 - (G) the Saskatchewan Health Physician's Newsletter Number 22, dated April 1, 2002; and
 - (H) the Saskatchewan Health Physician's Newsletter Number 23, dated April 1, 2003;
- (iv) for services provided in the period commencing on October 1, 2003 and ending on March 31, 2006, the schedule adopted by the department for payment of physician services and entitled "Saskatchewan Health Payment Schedule for Insured Services Provided by a Physician, October 1, 2003", as amended by:
- (A) the Saskatchewan Health Physician's Newsletter Number 25, dated April 1, 2004;
 - (B) the Saskatchewan Health Physician's Newsletter Number 26, dated October 1, 2004;
 - (C) the Saskatchewan Health Physician's Newsletter Number 27, dated April 1, 2005;
 - (D) the Saskatchewan Health Physician's Newsletter Number 28, dated October 1, 2005; and
 - (E) the Saskatchewan Health Physician's Newsletter Number 29, dated December 1, 2006; and
- (v) for services provided in the period commencing on April 1, 2007, the schedule adopted by the ministry for payment of physician services and entitled "Saskatchewan Health Payment Schedule for Insured Services Provided by a Physician, April 1, 2007", as amended by:
- (A) the Saskatchewan Health Physician's Newsletter Number 31, dated October 1, 2007;
 - (B) the Saskatchewan Health Physician's Newsletter Number 32, dated April 1, 2008; and
 - (C) the Saskatchewan Health Physician's Newsletter Number 33, dated October 1, 2008.

10 Nov 94 cS-29 Reg 19 s3; 23 Dec 94 SR 82/94 s2; 22 Mar 96 SR 8/96 s2; 21 Jun 96 SR 31/96 s2; 25 Apr 97 SR 18/97 s2; 13 Feb 98 SR 11/98 s2; 3 Jly 98 SR 62/98 s2; 29 Jan 99 SR 1/1999 s2; 11 Jun 99 SR 41/1999 s2; 17 Mar 2000 SR 13/2000 s2; 22 Dec SR 103/2000 s2; 20 Apr 2001 SR 24/2001 s2; 6 Jly 2001 SR 43/2001 s2; 25 Jan 2002 SR 4/2002 s2; 28 Mar 2002 SR 28/2002 s2; 10 Jan 2003 SR 120/2002 s2; 4 Apr 2003 SR 22/2003 s2; 9 May 2003 SR 32/2003 s2; 20 Jne 2003 SR 54/2003 s2; 17 Oct 2003 SR 108/2003 s2; 31 Oct 2003 SR 120/2003 s2; 16 Apr 2004 SR 15/2004 s2; 1 Oct 2004 SR 88/2004 s2; 1 Apr 2005 SR 28/2005 s2; 14 Oct 2005 SR 109/2005 s2; 17 Mar 2006 SR 18/2006 s2; 25 Aug 2006 SR 79/2006 s2; 5 Jan 2007 SR 117/2006 s2; 30 Mar 2007 SR 18/2007 s2; 13 Jly 2007 SR 58/2007 s3; 12 Oct 2007 SR 106/2007 s2; 20 Mar 2008 SR 14/2008 s2; 20 Mar 2008 SR 15/2008 s2; 20 Mar 2008 SR 16/2008 s2; 17 Oct 2008 SR 89/2008 s2; 15 May 2009 SR 48/2009.

Definitions for sections 7 and 8

4(1) For the purposes of sections 7 and 8, with respect to services provided outside Saskatchewan, and subject to subsection (2):

- (a) **"chiropractor payment schedule"** means chiropractor payment schedule as defined in clause 3(a);
- (b) **"dentist payment schedule"** means dentist payment schedule as defined in clause 3(b);
- (c) **"optometrist payment schedule"** means optometrist payment schedule as defined in clause 3(c);
- (d) **"physician payment schedule"** means physician payment schedule as defined in clause 3(d).

(2) For the purposes of this section, with respect to the dentist payment schedule, the schedule entitled "Medical Care Insurance Branch Payment Schedule for Insured Services Provided by a Dentist, August 1, 1993" became effective on the day on which *The Medical Care Insurance Payment Amendment Regulations, 1993 (No. 2)* were filed with the Registrar of Regulations, and applies to services provided on and from that day, notwithstanding anything contained in that schedule.

10 Nov 94 cS-29 Reg 19 s4.

Account to be presented to minister

5(1) The minister may make payment to a person for insured services provided to a beneficiary where the person presents an account to the minister containing:

- (a) the full name of the patient;
- (b) the registration number of the patient;
- (c) the month and year of birth and the sex of the patient;
- (d) the location of services as follows:
 - (i) office;
 - (ii) hospital, in-patient;
 - (iii) hospital, out-patient;
 - (iv) home; or
 - (v) other;
- (e) the diagnosis or a diagnostic code prescribed by the minister;
- (f) where the service is provided in Saskatchewan, the code in the physician payment schedule, chiropractor payment schedule, dentist payment schedule or optometrist payment schedule corresponding to the procedure or treatment performed;
- (g) where the service is provided outside Saskatchewan, the description of the procedure or treatment performed;

The Saskatchewan Watershed Authority Regulations

being

Chapter S-35.03 Reg 1 (effective November 8, 2006) as
amended by Saskatchewan Regulations 76/2007 and
49/2009.

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Appendix

Table 1	Application Fees
Table 2	Industrial Water Use Charges
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CHAPTER S-35.03 REG 1

The Saskatchewan Watershed Authority Act, 2005

Title

1 These regulations may be cited as *The Saskatchewan Watershed Authority Regulations*.

Interpretation

2 In these regulations:

- (a) “**Act**” means *The Saskatchewan Watershed Authority Act, 2005*;
- (b) “**consumer price index**” or “**CPI**” means the annual average of the “all-items” Consumer Price Index for Saskatchewan for a calendar year, as released by Statistics Canada;
- (c) “**mg/L**” means milligrams per litre;
- (d) “**Table**” means a Table set out in the Appendix;
- (e) “**TDS**” means a measure of total dissolved solids in water expressed in milligrams per litre.

17 Nov 2006 cS-35.03 Reg 1 s2.

Application fees

3(1) A person applying to the corporation pursuant to a provision of the Act set out in Table 1 shall pay to the corporation, at the time the application is filed, the appropriate fee as set out in Table 1.

(2) The fee mentioned in subsection (1) is non-refundable.

17 Nov 2006 cS-35.03 Reg 1 s3.

Industrial water use charges

4(1) In this section and in Table 2, “**industrial water use**” means the use of water by any industry, including industries that are involved with processing, mineral exploration, mining, oil and gas exploration and recovery, manufacturing, gravel washing, hydraulic pressure testing and thermal power generation.

(2) Subject to subsection (3), a person using water for an industrial water use from a source or for a purpose mentioned in Table 2 shall pay to the corporation the appropriate charges as set out in Table 2.

(3) The charges mentioned in subsection (1) do not apply to:

- (a) water used for primary agricultural production, including intensive livestock operations;
- (b) industries that are connected to a municipal water distribution system and that receive their water from that system; or
- (c) water with TDS greater than 4 000 mg/L obtained from the Blairmore or deeper ground water formations.

(4) The corporation may apply a discount to a charge otherwise payable pursuant to this section if:

(a) most of the water diverted for the industrial water use is returned to its original source; and

(b) the quality of diverted water returned is, in the opinion of the corporation, not significantly impaired.

(5) The discounts that the corporation may apply pursuant to subsection (4) are those set out in Table 3.

17 Nov 2006 cS-35.03 Reg 1 s4.

Complaints re drainage works

5(1) The fee prescribed for the purpose of clause 81(2)(b) of the Act is \$200.

(2) Subject to subsection (3), the fee mentioned in subsection (1) is non-refundable.

(3) The corporation may refund all or a portion of the fee mentioned in subsection (1) if the complaint with respect to which the fee is paid is withdrawn before the corporation renders a decision with respect to the complaint.

17 Nov 2006 cS-35.03 Reg 1 s5.

ISC registration fees

6 If the corporation registers a certificate, notice, order or approval pursuant to the Act in the Saskatchewan Land Registry, the corporation shall collect from the owner of the affected lands the fees required to effect that registration in accordance with the schedule of fees established from time to time by the Information Services Corporation of Saskatchewan pursuant to *The Land Titles Act, 2000*.

17 Nov 2006 cS-35.03 Reg 1 s6; 15 May 2009 SR 49/2009 s3.

Inspection of records

7(1) The corporation shall collect fees for information provided in response to requests made pursuant to *The Freedom of Information and Protection of Privacy Act* in accordance with *The Freedom of Information and Protection of Privacy Regulations*.

(2) The corporation may collect fees for information provided in response to requests that are not made pursuant to *The Freedom of Information and Protection of Privacy Act* for a fee or at a rate not exceeding the fees or rates established pursuant to *The Freedom of Information and Protection of Privacy Regulations*.

17 Nov 2006 cS-35.03 Reg 1 s7.

Interest on overdue accounts

8 The corporation may collect interest on overdue fees, levies, rates or charges at a rate of 1.5 per cent per month, compounded monthly, or 19.56 per cent per year.

17 Nov 2006 cS-35.03 Reg 1 s8.

Exempt drainage works

9 Pursuant to clause 79(a) of the Act, drainage works situated wholly within a city, town, village or resort village are designated as exempt from the application of sections 80 and 81 of the Act with respect to injury, loss or damage suffered or anticipated to occur wholly within the city, town, village or resort village.

17 Nov 2006 cS-35.03 Reg 1 s9.

Well safety

10(1) While drilling a well, every well driller shall take those precautions that are necessary for the control of water and the safety of persons, livestock and other property.

(2) The owner of a well shall take those precautions that are necessary for the safety of persons, livestock and other property and for the prevention of damage by reason of the presence or escape of water.

17 Nov 2006 cS-35.03 Reg 1 s10.

Control of flowing wells

11(1) If the corporation requires the owner of a well to control the flow of water from the owner's well and the owner fails to do so, the corporation, or any person acting under the corporation's instructions, may:

- (a) enter on the land from which the water is flowing; and
- (b) conduct any operations required to control the flow of water that the corporation considers necessary.

(2) If operations to control the flow of water are conducted pursuant to subsection (1), the corporation may determine:

- (a) the reasonable cost of those operations;
- (b) the person or persons who are responsible for controlling the flow of water; and
- (c) the person or persons who are liable for the cost or any part of the cost of those operations.

(3) The amount of costs determined by the corporation pursuant to subsection (2) are a debt due and owing to the corporation by the persons whom the corporation determines are liable, and the corporation may recover those costs in any manner that is allowed by law for the recovery of debts due to the Crown.

(4) Notwithstanding subsection (2), if, in the corporation's opinion, the circumstances warrant, the corporation may pay all or part of the cost of the operations conducted pursuant to subsection (1).

17 Nov 2006 cS-35.03 Reg 1 s11.

Coming into force

12 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

17 Nov 2006 cS-35.03 Reg 1 s12.

Appendix

TABLE 1

[Section 3]

Application Fees

Provision of the Act	Subject of the Application	Fee
section 51	water rights licence: (a) annual use or diversion of 0 to 500 cubic decametres (0 to 405 acre-feet); (b) annual use or diversion of 501 to 1 000 cubic decametres (406 to 810 acre-feet); (c) annual use or diversion of 1 001 cubic decametres or more (811 acre-feet or more); (d) reissue of water rights	\$100 \$200 \$300 fee to be determined by the volume of annual use or diversion of water as described in clause (a), (b) or (c) of column 2
section 60	approval to commence the construction, extension, alteration or operation of works: (a) approval to be granted to an individual; (b) approval to be granted to two or more individuals, jointly; (c) approval to be granted to any person other than those mentioned in (a) or (b).	\$ 25 \$ 50 \$100
section 74; also Part II of the Ground Water Regulations, being SR 172/66.	registration of a water well drilling machine	\$ 15
clause 75(a); also Part I of the Ground Water Regulations, being SR 172/66.	permit to undertake a ground water investigation program	\$ 10

TABLE 2
[Section 4]

Industrial Water Use Charges

Industrial Water Use Charges (per 1 000 cubic metres)

<i>Category of Industrial Water Use</i>	<i>Charge</i>
1. Water taken from the South Saskatchewan River, Lake Diefenbaker, Buffalo Pound Lake and the Qu'Appelle River	\$46.20
2. Water taken from any source, other than those listed in item 1, having TDS of 4 000 mg/L or less	\$14.78
3. Water taken from any source to be used as cooling water in thermal generation plants ¹	\$14.78
4. Water taken from any source having TDS in excess of 4 000 mg/L except water obtained from the Blairmore or deeper ground water formations	\$1.86

¹ The calculation of the volume of water taken for use as cooling water in thermal generation plants is to be based on annual electrical generation assuming 1 000 m³ of water used for every 733.21 megawatt hours generated

TABLE 3
[Section 4]**Low Consumptive Use Discounts**

<i>Industrial User</i>	<i>Location</i>	<i>Water Use Purpose</i>	<i>Water Use Discount</i>
Cameco Rabbit Lake	Collins Creek	Industrial Cooling	90%
Cameco Rabbit Lake	Collins Bay	Industrial Cooling	90%
C.F. Edible Oils	Nipawin	Industrial Cooling	90%
SPMC Legislature Bldg.	Regina	Once Through Cooling	90%

15 May 2009 SR 49/2009 s4.

Volume 10

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Under *The Seizure of Criminal Property Act*, c.S-46.001

S-46.001 Reg 1 *The Seizure of Criminal Property Regulations*

Under *The Slot Machine Act*, c.S-50

S-50 Reg 1 *The Slot Machine Regulations*

Under *The Small Claims Act, 1997/Loi de 1997 sur les petites créances*, c.S-50.11/S-50,11

S-50.11 Reg 1/ *The Small Claims Regulations, 1998/Règlement de 1998 sur les petites créances*
S-50,11 Règl 1

Under *The Snowmobile Act*, c.S-52

S-52 Reg 1 *The Snowmobile Regulations, 1998*

Under *The Special Payment (Dependent Spouses) Act*, c.S-56.01

S-56.01 Reg 1 *The Special Payment (Dependent Spouses) Regulations*

Under *The Stray Animals Act*, c.S-60

S-60 Reg 1 *The Stray Animals Regulations, 1999*

Under *The Student Assistance and Student Aid Fund Act, 1985*, c.S-61.1

S-61.1 Reg 3 *The Lender-financed Saskatchewan Student Loans Regulations*

S-61.1 Reg 1 *The Saskatchewan Student Direct Loans Regulations*

S-61.1 Reg 4 *The Saskatchewan Student Loan Assistance Regulations*

S-61.1 Reg 5 *The Student Assistance and Student Aid Fund Regulations, 2001*

Under *The Summary Offences Procedure Act, 1990*, c.S-63.1

S-63.1 Reg 1 *The Fine Option Program Regulations, 1991*

S-63.1 Reg 2 *The Summary Offences Procedure Regulations, 1991*

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S-64 Reg 7	<i>The District Health Boards Designation Regulations</i>
S-64 Reg 12	<i>The Early Retirement Option Regulations</i>
S-64 Reg 6	<i>The New Careers Corporation Designation Regulations</i>
S-64 Reg 11	<i>The Saskatchewan Trade and Export Partnership Inc. Designation Regulations</i>
S-64 Reg 9	<i>The SaskEnergy Incorporated Designation Regulations</i>
S-64 Reg 2	<i>The Superannuation Acts Uniform Regulations</i>
SR 48/97	<i>The Superannuation (Supplementary Provisions) Miscellaneous Repeal Regulations, 1997</i>
S-64 Reg 8	<i>The Tourism Authority Designation Regulations</i>
S-64 Reg 5	<i>The Wanuskewin Heritage Park Corporation Designation Regulations</i>

Under *The Surface Rights Acquisition and Compensation Act, c.S-65*

S-65 Reg 1	<i>The Surface Rights Acquisition and Compensation Regulations</i>
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T

Under *The Tax Enforcement Act, c.T-2*

T-2 Reg 1	<i>The Tax Enforcement Regulations</i>
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Under *The Teachers' Life Insurance (Government Contributory) Act, c.T-8*

T-8 Reg 1	<i>The Teachers' Life Insurance Regulations</i>
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Under *The Teachers' Superannuation Act, 2006, c.T-9.1*

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Under *The Tobacco Control Act, c.T-14.1*

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T-15.001 Reg 1	<i>The Tobacco Tax Regulations, 1998</i>
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Under *The Tourism Authority Act, c.T-15.01*

T-15.01 Reg 1	<i>The Tourism Authority Regulations</i>
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Under *The Trade Union Act*, c.T-17

SR 20/67	Conciliation Boards
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Under *The Traffic Safety Act*, c.T-18.1

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T-18.1 Reg 3	<i>The Traffic Safety Act Fees Regulations</i>
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T-19.1 Reg 1/ T-19.1 Règl 1	<i>The Traffic Safety Court of Saskatchewan Regulations/ Règlement sur le Tribunal de la sécurité routière de la Saskatchewan</i>
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Under *The Trust and Loan Corporations Act, 1997*, c.T-22.2

T-22.2 Reg 1	<i>The Trust and Loan Corporations Regulations, 1999</i>
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The Summary Offences Procedure Regulations, 1991

being

Chapter S-63.1 Reg 2 (effective January 1, 1991) as amended by Saskatchewan Regulations 30/91, 44/92, 112/92, 152/92, 2/93, 16/93, 93/93, 15/94, 38/94, 36/95, 37/95, 14/96, 38/96, 39/96, 98/96, 57/97, 19/98, 82/98, 8/1999, 62/1999, 26/2000, 51/2000, 58/2000, 73/2000, 99/2000, 23/2001, 93/2001, 14/2002, 94/2002, 124/2002, 15/2003, 127/2003, 82/2004, 130/2004, 27/2005, 115/2005, 24/2006, 38/2006, 110/2006, 29/2007, 35/2007, 5/2008, 68/2008 and 33/2009.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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PART II**Voluntary Payment Offences –
Summons Ticket Issued****PART III****Voluntary Payment Offences –
Offence Notice Ticket Issued****PART IV****Discretionary Offences
Repealed**

CHAPTER S-63.1 REG 2

The Summary Offences Procedure Act, 1990

Title

- 1 These regulations may be cited as *The Summary Offences Procedure Regulations, 1991*.

Interpretation

- 2 In these regulations:

- (a) **"Act"** means *The Summary Offences Procedure Act, 1990*;
- (b) **"ticket"** means a summary offence ticket in the form prescribed by section 8;
- (c) **"ticket offence"** means an offence designated pursuant to section 5 or 6;
- (d) **"voluntary payment offence"** means an offence mentioned in section 8.

21 Dec 90 cS-63.1 Reg 2 s2.

Application

- 3 These regulations apply to all parts of Saskatchewan.

21 Dec 90 cS-63.1 Reg 2 s3.

Peace officers

- 4 The following categories of persons are designated as peace officers for the purposes of the Act:

- (a) enforcement officers as defined in *The Parks Act* while enforcing that Act;
- (b) inspectors as defined in *The Animal Products Act* while enforcing "The Livestock Inspection and Transportation Regulations, 1978";
- (c) persons designated as peace officers pursuant to *The Traffic Safety Act* while enforcing *The Traffic Safety Act*, *The Snowmobile Act*, *The All Terrain Vehicles Act*, *The Forest Act*, *The Dangerous Goods Transportation Act* or *The Highways and Transportation Act, 1997*;
- (d) enforcement officers designated pursuant to section 8 of *The Forest Resources Management Act* while enforcing that Act and the regulations;
- (e) inspectors as defined in *The Dangerous Goods Transportation Act* while enforcing that Act;
- (f) persons appointed as officers pursuant to *The Fisheries Act (Saskatchewan), 1994* while enforcing the provisions of that Act;
- (g) enforcement officers designated pursuant to section 5 of *The Natural Resources Act* while enforcing the provisions of that Act and *The Outfitter and Guide Regulations, 2004*;

- (h) enforcement officers designated pursuant to section 49 of *The Fuel Tax Act, 2000* while enforcing that Act;
- (i) persons appointed pursuant to clause 10(2)(c) of *The Alcohol and Gaming Regulation Act, 1997* while enforcing the provisions of that Act;
- (j) persons appointed pursuant to section 16 of *The Tobacco Control Act*, while enforcing that Act;
- (k) environment officers appointed pursuant to section 65 of *The Environmental Management and Protection Act, 2002* while enforcing that Act;
- (l) the registrar mentioned in clause 2(f) of *The Auctioneers Act*, or a person authorized by the registrar, while enforcing the provisions of that Act;
- (m) the registrar appointed pursuant to section 82 of *The Cemeteries Act, 1999*, or a person authorized by the registrar, while enforcing the provisions of that Act;
- (n) the registrar appointed pursuant to section 4 of *The Charitable Fund-raising Businesses Act*, or a person authorized by the registrar, while enforcing the provisions of that Act;
- (o) the registrar designated pursuant to section 3 of *The Collection Agents Act*, or a person authorized by the registrar, while enforcing the provisions of that Act;
- (p) the registrar appointed pursuant to section 23.1 of *The Direct Sellers Act*, or a person authorized by the registrar, while enforcing the provisions of that Act;
- (q) the person authorized by the board pursuant to section 7 of *The Film and Video Classification Act*, while enforcing the provisions of that Act;
- (r) the registrar as defined in clause 2(d) of *The Motor Dealers Act*, or a person authorized by the registrar, while enforcing the provisions of that Act;
- (s) the registrar as defined in clause 2(d) of *The Sale of Training Courses Act*, while enforcing the provisions of that Act;
- (t) employees authorized pursuant to a bylaw made pursuant to clause 100(6)(f) of *The University of Saskatchewan Act, 1995*, while enforcing bylaws made pursuant to section 100 of that Act.

21 Dec 90 cS-63.1 Reg 2 s4; 24 Dec 92 SR 152/92 s3; 19 May 95 SR 36/95 s3; 11 Jly 97 SR 57/97 s3; 12 Apr 2001 SR 23/2001 s3; 14 Dec 2001 SR 93/2001 s3; 22 Feb 2002 SR 14/2002 s3; 4 Apr 2003 SR 15/2003 s3; 2 Jan 2004 SR 127/2003 s3; 31 Dec 2004 SR 130/2004 s3; 12 May 2006 SR 38/2006 s3; 15 Dec 2006 SR 110/2006 s3; 27 Apr 29/2007 SR29/2007 s3; 22 Feb 2008 SR 5/2008 s3.

Summons ticket offences

5 Offences pursuant to the following Acts, regulations and bylaws, other than the offences set out in Part 3 of the Appendix, are designated as offences for which proceedings may be commenced pursuant to Part III of the Act by the issuance of a summons ticket:

- (a) *The Alcohol and Gaming Regulation Act, 1997*;
- (b) *The All Terrain Vehicles Act*;
- (c) *The Dangerous Goods Transportation Act, 1997*;
- (d) *The Direct Sellers Act*;
- (e) *The Highways and Transportation Act, 1997*;
- (f) subject to clause 6(c), *The Traffic Safety Act*;
- (g) *The Litter Control Act*;
- (h) **Repealed.** 12 May 2006 SR 38/2006 s4.
- (i) *The Parks Act*;
- (j) *The Snowmobile Act, 1998*;
- (k) **Repealed.** 12 May 2006 SR 38/2006 s4.
- (l) *The Wildlife Act, 1998*;
- (m) regulations made pursuant to the Acts mentioned in clauses (a) to (l);
- (n) *The Fisheries Act (Saskatchewan), 1994* and *The Fisheries Regulations*;
- (o) "The Livestock Inspection and Transportation Regulations, 1978" made pursuant to *The Animal Products Act*;
- (p) bylaws pursuant to *The Meewasin Valley Authority Act* that control traffic within Meewasin Valley;
- (q) bylaws pursuant to *The Wakamow Valley Authority Act* that control traffic within Wakamow Valley;
- (r) bylaws pursuant to *The Wascana Centre Act* that control traffic within Wascana Centre;
- (s) bylaws of a city, town, village or rural municipality;
- (t) *The Outfitter and Guide Regulations, 2004*;
- (u) section 24 of *The Summary Offences Procedure Act, 1990*;
- (v) *The Fuel Tax Act, 2000*;
- (w) *The Vehicle Equipment Regulations, 1987* where the person charged is a corporation;
- (x) *The Tobacco Control Act*;

- (y) *The Environmental Management and Protection Act, 2002* and the regulations made pursuant to that Act;
- (z) *The Auctioneers Act*;
- (aa) *The Cemeteries Act, 1999*;
- (bb) *The Charitable Fund-raising Businesses Act*;
- (cc) *The Collection Agents Act*;
- (dd) *The Direct Sellers Act*;
- (ee) *The Film and Video Classification Act* and the regulations made pursuant to that Act;
- (ff) *The Motor Dealers Act*;
- (gg) *The Sale of Training Courses Act*;
- (hh) *The Security of Loads and Trip Inspection Regulations*;
- (ii) bylaws made pursuant to *The University of Saskatchewan Act, 1995* that control traffic;
- (jj) section 60.1 of *The Safer Communities and Neighbourhoods Act*.

21 Dec 90 cS-63.1 Reg 2 s5; 6 Nov 92 SR 112/92 s3; 24 Dec 92 SR 152/92 s4; 26 Nov 93 SR 93/93 s3; 3 Jne 94 SR 38/94 s3; 19 May 95 SR 36/95 s4; 12 Apr 2001 SR 23/2001 s4; 14 Dec 2001 SR 93/2001 s4; 22 Feb 2002 SR 14/2002 s4; 25 Oct 2002 SR 94/2002 s3; 4 Apr 2003 SR 15/2003 s4; 2 Jan 2004 SR 127/2003 s4; 31 Dec 2004 SR 130/2004 s4; 10 Nov 2005 SR 115/2005 s3; 12 May 2006 SR 38/2006 s4; 27 Apr 2007 SR 29/2007 s4; 22 Feb 2008 SR 5/2008 s4.

Offence notice ticket offences

6 The following offences are designated as offences for which proceedings may be commenced pursuant to Part IV of the Act by the issuance of an offence notice ticket:

- (a) subject to subsection 9(2), offences set out in Part 3 of the Appendix;
- (b) offences pursuant to *The Vehicle Equipment Regulations, 1987*, except where the person charged is a corporation;
- (c) offences pursuant to *The Traffic Safety Act* where any of the following is charged pursuant to section 273 of that Act:
 - (i) an owner of a vehicle who is an individual;
 - (ii) a person in charge of a vehicle.

21 Dec 90 cS-63.1 Reg 2 s6; 24 Dec 92 SR 152/92 s5; 5 Mar 93 SR 16/93 s3; 3 Jne 94 SR 38/94 s4; 26 Apr 96 SR 14/96 s.3; 12 May 2006 SR 38/2006 s5.

Offences with bicycle

6.1(1) Notwithstanding sections 5 and 6, with respect to any offence pursuant to *The Traffic Safety Act* or pursuant to any municipal traffic bylaw where the vehicle involved in the offence is a bicycle proceedings may be commenced pursuant to Part III of the Act by the issuance of a summons ticket.

(2) Notwithstanding clause 8(b), where a specified penalty sum is set out in Table 1 or in Table 5 of Part 3 of the Appendix for any offence for which a summons ticket is issued pursuant to subsection (1), that specified penalty sum shall apply and may be paid without an appearance in court.

6 Nov 92 SR 112/92 s4; 12 May 2006 SR 38/2006 s6.

Parking violations

7(1) Notwithstanding sections 5, 6, and 6.1, the use of the ticket is not authorized for enforcing parking violations pursuant to a bylaw.

(2) For the purpose of subsection 4(5) of the Act an information with respect to a municipal bylaw parking offence is not required to be laid under oath.

6 Nov 92 SR 112/92 s5; 11 Jly 97 SR 57/97 s4.

Voluntary payment offences

8 The offences with respect to which a specified penalty sum may be paid without appearing in court:

(a) in the case of offences for which a summons ticket is issued, are the offences set out in Tables 1 to 45 of Part 2 of the Appendix as follows:

(i) the offences pursuant to *The Highways and Transportation Act, 1997* set out in Table 1;

(ii) the offences pursuant to *The Vehicle Weight and Dimension Regulations, 1988* set out in Table 2;

(iii) the offences pursuant to *The Traffic Safety Act* set out in Table 3;

(iv) **Repealed.** 12 May 2006 SR 38/2006 s7.

(v) the offences pursuant to *The Dangerous Goods Transportation Act* set out in Table 5;

(vi) the offences pursuant to "The Livestock Inspection and Transportation Regulations, 1978" set out in Table 6;

(vii) **Repealed.** 12 May 2006 SR 38/2006 s7.

(vii.1) the offences pursuant to *The Commercial Vehicles Hours of Service Regulations* set out in Table 7.1;

(viii) the offences pursuant to *The All Terrain Vehicles Act* set out in Table 8;

- (ix) the offences pursuant to *The Snowmobile Act* set out in Table 9;
- (x) the offences pursuant to *The School Bus Operating Regulations, 1987* set out in Table 10;
- (xi) the offences pursuant to *The Alcohol and Gaming Regulation Act, 1997* set out in Table 11;
- (xi.1) the offences pursuant to *The Alcohol Control Regulations, 2002* set out in Table 11.1;
- (xii) the offences pursuant to *The Wildlife Act, 1998* set out in Table 12;
- (xiii) the offences pursuant to *The Wildlife Regulations, 1981* set out in Table 13;
- (xiv) the offences pursuant to *The Firearm Safety/Hunter Education Regulations* set out in Table 14;
- (xv) the offences pursuant to *The Parks Regulations, 1991* set out in Table 15;
- (xvi) **Repealed.** 12 Jne 92 SR 44/92 s3;
- (xvii) the offences pursuant to *The Fisheries Act (Saskatchewan), 1994* set out in Table 17;
- (xviii) the offences pursuant to *The Fisheries Regulations* set out in Table 18;
- (xix) *The Outfitter and Guide Regulations, 2004*;
- (xx) the offences pursuant to *The Fuel Tax Act, 2000* set out in Table 20;
- (xxi) the offences pursuant to *The Vehicle Equipment Regulations, 1987* set out in Table 21;
- (xxii) the offences pursuant to *The Tobacco Control Act* set out in Table 22;
- (xxiii) the offences pursuant to *The Environmental Management and Protection Act, 2002* set out in Table 23;
- (xxiv) the offences pursuant to *The Environmental Spill Control Regulations* set out in Table 24;
- (xxv) the offences pursuant to *The Hazardous Substances and Waste Dangerous Goods Regulations* set out in Table 25;

- (xxvi) the offences pursuant to *The Mineral Industry Environmental Protection Regulations, 1996* set out in Table 26;
- (xxvii) the offences pursuant to *The Municipal Refuse Management Regulations* set out in Table 27;
- (xxviii) the offences pursuant to *The Halocarbon Control Regulations* set out in Table 28;
- (xxix) the offences pursuant to *The PCB Waste Storage Regulations* set out in Table 29;
- (xxx) the offences pursuant to *The Scrap Tire Management Regulations* set out in Table 30;
- (xxxi) the offences pursuant to *The Used Oil Collection Regulations* set out in Table 31;
- (xxxii) the offences pursuant to *The Water Regulations, 2002* set out in Table 32;
- (xxxiii) the offences pursuant to *The Auctioneers Act* set out in Table 33;
- (xxxiv) the offences pursuant to *The Cemeteries Act, 1999* set out in Table 34;
- (xxxv) the offences pursuant to *The Charitable Fund-raising Businesses Act* set out in Table 35;
- (xxxvi) the offences pursuant to *The Collection Agents Act* set out in Table 36;
- (xxxvii) the offences pursuant to *The Direct Sellers Act* set out in Table 37;
- (xxxviii) the offences pursuant to *The Film and Video Classification Act* set out in Table 38;
- (xxix) the offences pursuant to *The Film and Video Classification Regulations, 1997* set out in Table 39;
- (xl) the offences pursuant to *The Motor Dealers Act* set out in Table 40;
- (xli) the offences pursuant to *The Sale of Training Courses Act* set out in Table 41;
- (xlii) the offences pursuant to *The Security of Loads and Trip Inspection Regulations* set out in Table 42;
- (xlili) the offences pursuant to *The Litter Control Act* set out in Table 43;
- (xliv) the offences pursuant to *The Waste Paint Management Regulations* set out in Table 44;
- (xlv) the offences pursuant to *The Waste Electronic Equipment Regulations* set out in Table 45;

- (b) in the case of offences for which an offence notice ticket is issued, are:
- (i) the offences set out in Tables 1 to 5 of Part 3 of the Appendix as follows:
 - (A) the offences pursuant to *The Traffic Safety Act* set out in Table 1;
 - (A.1) the offences pursuant to *The Commercial Hours of Service Regulations* set out in Table 1.1;
 - (B) the offences pursuant to *The Parks Regulations, 1991* set out in Table 2;
 - (C) the offences pursuant to *The Vehicle Equipment Regulations, 1987* set out in Table 3;
 - (D) the offences pursuant to *The School Bus Operating Regulations, 1987* set out in Table 4;
 - (E) the offences pursuant to a bylaw of a city, town, village, rural municipality, *The Wascana Centre Authority*, *The Meevasin Valley Authority*, *The Wakamow Valley Authority* or *The University of Saskatchewan Act, 1995* set out in Table 5;
 - (ii) the offences pursuant to *The Vehicle Equipment Regulations, 1987* that are not set out in Table 3 of Part 3 of the Appendix; and
 - (iii) the offences pursuant to *The Traffic Safety Act* set out in Table 3 of Part 2 of the Appendix where any of the following is charged pursuant to section 273 of that Act;
 - (A) an owner of a vehicle who is an individual;
 - (B) a person in charge of a vehicle.

21 Dec 90 cS-63.1 Reg 2 s8; 12 Jne 92 SR 44/92 s3; 6 Nov 92 SR 112/92 s6; 24 Dec 92 SR 152/92 s6; 5 Mar 93 SR 16/93 s4; 26 Nov 93 SR 93/93 s4; 19 May 95 SR 36/95 s5; 11 Jly 97 SR 57/97 s5; 28 Apr 2000 SR 26/2000 s3; 14 Jly 2000 SR 51/2000 s3; 12 Apr 2001 SR 23/2001 s5; 14 Dec 2001 SR 93/2001 s5; 22 Feb 2002 SR 14/2002 s5; 4 Apr 2003 SR 15/2003 s5; 2 Jan 2004 SR 127/2003 s5; 31 Dec 2004 SR 130/2004 s5; 10 Nov 2005 SR 115/2005 s4; 12 May 2006 SR 38/2006 s7; 27 Apr 2007 SR 29/2007 s5; 22 Feb 22 2008 SR 5/2008 s5; 3 Apr 2009 SR 33/2009 s3.

Discretionary offences

9(1) The offences for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court pursuant to subsection 14(3) of the Act are:

- (a) the offences set out in Part 2 of the Appendix that are marked with an asterisk;
- (b) an offence set out in Table 3 of Part 2 of the Appendix that results in an accident in which a person is injured or a fatality occurs; and
- (c) the offences set out in Tables 12 and 13 of Part 2 of the Appendix that involve a wild species at risk.

(2) If the commission of an offence set out in Table 1 of Part 3 of the Appendix results in an injury to or the death of a person, a peace officer may, instead of following the procedures set out in section 6:

- (a) issue a summons ticket;
- (b) withdraw the specified penalty sum set out in that Table; and
- (c) require the defendant to appear in court pursuant to subsection 14(3) of the Act.

21 Dec 90 cS-63.1 Reg 2 s9; 26 Apr 96
SR 14/96 s.5; 28 Apr 2000 SR 26/2000 s4; 12
May 2006 SR 38/2006 s8.

Form of ticket

10(1) Form A of Part 1 of the Appendix is prescribed as the form of the summary offence ticket.

(2) The ticket consists of ten parts:

- (a) Parts 1 and 2 to be used for laying an information and as the certificate of service;
- (b) **Repealed.** 30 Oct 98 SR 82/98 s3.
- (c) Part 5 to be used as the police record of the information;
- (d) Part 6 to be used as the peace officer's case summary notes;
- (e) Part 7 to be used to issue a summons with respect to a ticket offence mentioned in section 5;
- (f) Part 8 to be used by the person to whom the summons is directed to indicate a guilty plea and for:
 - (i) payment of a specified penalty sum pursuant to section 10 of the Act; or
 - (ii) registration in the fine option program pursuant to section 11 of the Act;

- (g) Part 9 to be used to issue an offence notice with respect to any ticket offence mentioned in section 6; and
- (h) Part 10 to be used by the person to whom an offence notice is directed:
 - (i) to indicate a not guilty plea and to request a trial date pursuant to section 19 of the Act;
 - (ii) to indicate a guilty plea and to request a date to make submissions pursuant to section 21 of the Act;
 - (iii) to indicate a guilty plea and for payment of a specified penalty sum pursuant to section 10 of the Act; or
 - (iv) to indicate a guilty plea and to request registration in the fine option program pursuant to section 11 of the Act.

21 Dec 90 cS-63.1 Reg 2 s10; 30 Oct 98 SR 82/
98 s3.

Use of ticket

11(1) Parts 1, 2, 7 and 8 of the ticket are to be used for all summons ticket offences.

(2) Parts 1, 2, 9 and 10 of the ticket are to be used for all offence notice ticket offences.

(3) Parts 5 and 6 of the ticket are to be used if a peace officer:

- (a) lays an information or issues a summons for an offence that is not a voluntary payment offence; or
- (b) issues a summons or an offence notice for a voluntary payment offence and the defendant does not make the voluntary payment.

21 Dec 90 cS-63.1 Reg 2 s11; 6 Nov 92 SR 112/
92 s7; 30 Oct 98 SR 82/98 s4.

Completion of ticket

12(1) A peace officer who issues a ticket with respect to an offence shall:

- (a) in the spaces provided on the ticket, give:
 - (i) the section number of the Act, regulation or bylaw pursuant to which the charge is made;
 - (ii) a brief description in words of the offence; and
 - (iii) the name of the person to be charged and other particulars indicated on the ticket; and
- (b) deliver to the defendant the summons or offence notice, as the case may require.

(1.1) A peace officer who issues an offence notice ticket for an offence pursuant to *The Traffic Safety Act* where an owner of a vehicle or a person in charge of a vehicle is charged pursuant to section 273 of that Act shall indicate on the ticket both the section number of the Act that describes the specific offence and section 273 as the sections pursuant to which the charge is made.

(2) Notwithstanding subsection (1), the particulars of birth date, driver and vehicle are not required unless the offence involves the use of a vehicle.

(3) A peace officer who issues a summons on Part 7 or offence notice on Part 9 of the ticket with respect to a voluntary payment offence:

(a) shall indicate, in the spaces provided on the ticket, the place, day and time at which the person charged is required to appear;

(b) subject to section 9, shall indicate the amount of the specified penalty sum that is required to be paid if the person charged elects to pay a specified penalty sum;

(c) may complete the spaces provided on the ticket following the heading "THE FOLLOWING DOES NOT FORM PART OF THE CHARGE BUT IS PROVIDED FOR INFORMATION ONLY" to indicate:

(i) **Repealed.** 19 May 95 SR 37/95 s3.

(ii) the name of the department or agency by which the peace officer is employed to enforce certain Acts, regulations or bylaws; and

(d) shall sign the ticket before serving the summons or offence notice on the person charged.

(4) On serving a summons or offence notice pursuant to section 8 of the Act, the peace officer shall sign the certificate of service in Part 2 of the ticket.

21 Dec 90 cS-63.1 Reg 2 s12; 24 Dec 92 SR 152/92 s7; 19 May 95 SR 37/95 s3; 12 May 2006 SR 38/2006 s9.

Specified penalty sum

13(1) The amount of the specified penalty sum payable with respect to a voluntary payment offence is the total of:

(a) the penalty set out in subsection (2) or (3); and

(b) the surcharge prescribed pursuant to *The Victims of Crime Regulations*.

(2) Subject to subsection (3), the penalty payable with respect to a voluntary payment offence is:

(a) for an offence set out in Table 1, 8, 11 or 22 of Part 2 of the Appendix, the amount set out in Column 5 of the table opposite the description of the offence;

- (b) for an offence set out in Tables 2 to 7.1, 9, 10, 12 to 21 or 23 to 45 of Part 2 of the Appendix, the amount set out in Column 4 of the table opposite the description of the offence;
 - (c) for an offence set out in Tables 1 to 4 of Part 3 of the Appendix, the amount set out in Column 4 of the table opposite the description of the offence; and
 - (d) for an offence set out in Table 5 of Part 3 of the Appendix, the amount set out in Column 3 of the table opposite the description of the offence.
- (3) The penalty payable with respect to a voluntary payment offence pursuant to *The Vehicle Equipment Regulations, 1987* is:
- (a) for an offence set out in Table 21 of Part 2 of the Appendix:
 - (i) the amount set out in column 4 of the table if the registered gross vehicle weight is less than 11,000 kilograms; and
 - (ii) the amount set out in column 5 of the table if the registered gross vehicle weight is 11,000 kilograms or more;
 - (b) for an offence set out in Table 3 of Part 3 of the Appendix:
 - (i) the amount set out in column 4 of the table if the registered gross vehicle weight is less than 11,000 kilograms; and
 - (ii) the amount set out in column 5 of the table if the registered gross vehicle weight is 11,000 kilograms or more; and
 - (c) where an offence is not specified in the tables mentioned in clauses (a) and (b):
 - (i) \$75 for an offence where the registered gross vehicle weight is less than 11,000 kilograms; and
 - (ii) \$100 for an offence where the registered gross vehicle weight is 11,000 kilograms or more.
- (4) If a specified penalty sum is not indicated for an offence in Table 3 of Part 2 of the Appendix or Table 1 of Part 3 of the Appendix, the specified penalty sum payable for an offence pursuant to *The Traffic Safety Act*, where an owner or a person in charge of a vehicle is charged pursuant to section 273 of that Act, is \$100.

21 Dec 90 cS-63.1 Reg 2 s13; 4 Mar 94 SR 15/94 s2;
11 Jly 97 SR 57/97 s6; 27 Feb 98 SR 19/98 s3;
14 Jly 2000 SR 51/2000 s4; 22 Feb 2002 SR 14/
2002 s6; 2 Jan 2004 SR 127/2003 s6; 31 Dec 2004
SR 130/2004 s6; 12 May 2006 SR 38/2006 s10; 15
Dec 2006 SR 110/2006 s4; 27 Apr 2007 SR 29/
2007 s6.

Late payment charge

- 14(1) For the purposes of section 28 of the Act, an offender is liable to pay a late payment charge of \$40.
- (2) For the purposes of section 32.8 of the Act, an offender is liable to pay a late payment charge of \$40.

31 Mar 2006 SR 24/2006 s3.

Designated offences re *The Vehicle Administration Act*

14.1 For the purposes of section 23.1 of *The Vehicle Administration Act*, the following are designated offences:

- (a) the offences designated as offence notice ticket offences in section 6;
- (b) offences pursuant to section 221, paragraphs 249(1)(a) and (b), subsections 249(3) and (4), subsection 252(1), paragraphs 253(a) and (b), subsection 254(5), subsections 255(2) and (3) and subsection 259(4) of the *Criminal Code*.

15 Dec 2000 SR 99/2000 s3.

15 Repealed. 6 Nov 92 SR 112/92 s8.

Forms

- 16(1) For the purposes of subsection 26(6) of the Act, an application for extension of time for payment of a fine is to be in Form B of Part 1 of the Appendix.
- (2) For the purposes of subsection 29(4) or 31(1) of the Act, the form of a warrant of committal is to be in Form C of Part 1 of the Appendix.
- (3) For the purposes of subsection 31(2) of the Act, the form for a request for a hearing after a default conviction is to be in Form D of Part 1 of the Appendix.
- (3.1) For the purposes of subsection 32.4(2) of the Act, an affidavit of default of payment of restitution order is to be in Form D.1 of Part 1 of the Appendix.
- (4) **Repealed.** 26 Apr 96 SR 14/96 s.5.
- (5) **Repealed.** 26 Apr 96 SR 14/96 s.5.
- (6) **Repealed.** 26 Apr 96 SR 14/96 s.5.
- (7) For the purposes of section 49.1 of the Act, the form of release on recognizance is to be in Form H of Part 1 of the Appendix.

21 Dec 90 cS-63.1 Reg 2 s16; 19 May 95 SR37/
95 s4; 26 Apr 96 SR 14/96 s5; 13 Dec 96 SR 98/
96 s3.

Service of documents

17(1) Where the Act requires a notice or document other than a summons or offence notice to be given to or served on a defendant or offender, the notice or document may be served:

(a) by ordinary mail addressed to the defendant or offender at the defendant's or offender's address for service; or

(b) personally on the defendant or offender.

(2) Service by ordinary mail pursuant to subsection (1) may be proved by the affidavit of the clerk who mailed the notice or document.

(3) For the purposes of subsection 15(3) or 20(1) of the Act, service of a notice of trial may be proved by the affidavit of the clerk, together with a document produced by the Justice Automated Information Network computer showing the clerk's notation on the computer records that the notice was served.

21 Dec 90 cS-63.1 Reg 2 s17.

Service re certain tickets

17.1(1) An offence notice that relates to evidence obtained by a red light camera system authorized pursuant to *The Traffic Safety Act* may be served by sending it by ordinary mail to the defendant's address as shown on the records of the administrator as defined in that Act.

(2) A summons ticket that relates to an offence pursuant to section 4 or 6, subsection 17(2) or section 18 of *The Parks Regulations, 1991* may be served by sending it by ordinary mail to the defendant's address as shown on the records of the administrator as defined in *The Traffic Safety Act*.

8 Aug 2008 SR 68/2008 s2.

Address for service

18(1) Subject to subsections (2), (5) and (6), the address for service of a defendant or offender who is an individual is the address indicated on his or her driver's licence.

(2) A defendant who is an individual and

(a) who is not in possession of an driver's licence; or

(b) whose address is not the address indicated on his or her driver's licence;

shall, on being served with a summons or offence notice, provide an address for service to the person serving the summons or offence notice.

(3) Subject to subsection (5), the address for service of a defendant that is a municipality is the municipal office.

(4) Subject to subsection (5), the address for service of a defendant that is a corporation is:

- (a) the most recent address of the corporation indicated on the records of the Corporations Branch of the Department of Consumer and Commercial Affairs; or
 - (b) if no address described in clause (a) is available, the registered office of the corporation.
- (5) After being served with a summons or offence notice, a defendant or offender may provide a clerk with a new address for service for the purpose of subsequent proceedings related to the summons or offence notice.
- (6) The notice required pursuant to clause 31(1)(c) of the Act may be served on the offender at the address for that person indicated in the records of the administrator designated pursuant to *The Traffic Safety Act*.

21 Dec 90 cS-63.1 Reg 2 s18; 6 Nov 92 SR 112/
92 s9; 12 May 2006 SR 38/2006 s12.

Deductions from fine revenues

- 19(1)** For the purposes of section 57 of the Act and this section, “**fiscal year**” means the period commencing on April 1 in one year and ending on March 31 in the following year.
- (2) For the purposes of clause 57(4)(a) of the Act:
- (a) the City of Regina and City of Saskatoon are designated as municipalities from which the Government of Saskatchewan may deduct the amount set out in clause (b) from fines payable; and
 - (b) the Government of Saskatchewan may deduct in each fiscal year:
 - (i) \$320,000 from fines payable to the City of Regina; and
 - (ii) \$320,000 from fines payable to the City of Saskatoon.
- (3) For the purposes of clause 57(4)(c) of the Act:
- (a) all municipalities are designated as municipalities from which the Government of Saskatchewan may deduct the amount set out in clause (b) from fines payable; and
 - (b) the Government of Saskatchewan may deduct, in each fiscal year, 25% of every fine imposed with respect to an offence governed by the Act.
- (4) In subsection (3), “**fine imposed**” means, with respect to an offence, a fine imposed by a justice and includes the penalty mentioned in subsection 13(2) or (3), but does not include:
- (a) a late payment charge payable pursuant to section 14; or
 - (b) a surcharge pursuant to *The Victims of Crime Regulations, 1997*.

31 Mar 2006 SR 24/2006 s4; 12 May 2006 SR
38/2006 s12.

Transitional

19.1 Subject to a deduction authorized pursuant to subsection 19(3) or a predecessor of that provision, a municipality is entitled to receive fine revenues for a contravention within that municipality of any provision of any Act or regulation made pursuant to any Act if:

- (a) the municipality had a municipal police service that was in existence on December 31, 1998; or
- (b) the municipality had a contract with a police service and the contract was in existence on December 31, 1998.

31 Mar 2006 SR 24/2006 s4.

R.R.S. c.S-63 Reg 3 repealed

20 *The Summary Offences Procedure Regulations, 1986* are repealed.

21 Dec 90 cS-63.1 Reg 2 s20.

Appendix
PART I
Forms
FORM A
TICKET

CERTIFICATE OF OFFENCE

TICKET NO. _____

ON BEHALF OF HER MAJESTY THE QUEEN IN THE PROVINCE OF SASKATCHEWAN THE PEACE OFFICER DECLARES THAT HE/SHE HAS REASONABLE GROUNDS TO BELIEVE AND DOES BELIEVE THAT:

NAME _____ <small>(last) (first) (other)</small>	<input type="checkbox"/> M	<input type="checkbox"/> F	<input type="checkbox"/> C
DRIVER'S LICENCE NO. <input type="checkbox"/> Saskatchewan _____ Class _____ <input type="checkbox"/> Other Jurisdiction _____ <small>(province/state) (number)</small>	DATE OF BIRTH Day _____ Month _____ Year _____		
ADDRESS _____ <small>(street) (city) (province) (postal code)</small>			
On the _____ day of _____, 20____ At _____ of _____ <small>(Saskatchewan) (Town) (M)</small>			

DID UNLAWFULLY COMMIT THE FOLLOWING OFFENCE UNDER SECTION NO. _____ of:

- ☐ *The Alcohol and Gaming Regulation Act, 1997* ☐ *The Highways and Transportation Act, 1997* ☐ *The Traffic Safety Act* ☐ *The Wildlife Act, 1998*
☐ Regulations under indicated Act _____ Bylaw No. _____ for _____
(municipality)
☐ Other _____

Description of Offence: ☐ Exceed Speed Limit of _____ ☐ Driver ☐ Passenger failing to properly wear seat belt
☐ Other _____
(description)

PLEASE READ THE BACK OF YOUR COPY CAREFULLY FOR THE OPTIONS AVAILABLE FOR RESPONDING TO THIS TICKET

☐ A voluntary payment option of _____ exists which must be paid no later than the _____ day of _____, 20____

Pursuant to *The Summary Offences Procedure Act, 1990* this offence relates to:☐ **PART III—SUMMONS**

If the voluntary payment option is not available or you choose not to pay the voluntary payment where this option is available, or you intend to plead not guilty, you are commanded to appear in:

☐ Traffic } Court at _____
☐ Provincial } (Saskatchewan)

☐ **PART IV—OFFENCE NOTICE**

You are required to pay the voluntary penalty or respond to this notice under the options granted to you on the back of your notice by the date indicated above for payment of the voluntary penalty, or appear at:

on the _____ day of _____, 20____
 at _____ M to answer to the above charge and be further dealt with according to the law

I, _____ a Peace Officer in Saskatchewan,

CERTIFY that I did, on the _____ day of _____, 20____ issue this ticket.

(Signature of Peace Officer)**THE FOLLOWING DOES NOT FORM PART OF THE CHARGE BUT IS PROVIDED FOR INFORMATION ONLY:**

Vehicle Make	Type/Make and Model	Vehicle Year	Vehicle Licence No.	Class	<input type="checkbox"/> Saskatchewan <input type="checkbox"/> Other	Licence Exp. Year
VEHICLE IS A POWER UNIT, TRUCK, (EXCLUDING PICK-UPS) OR BUS				NSC/DOT NO. _____		
Owner's Name (if different than above) _____ <small>(last) (first) (other)</small>						
Address (if different than above) _____ <small>(street) (city/town) (province)</small>						

Vehicle was clocked at _____ km/hr **FINE IS PAYABLE TO:** ☐ Municipality ☐ Province ☐ Federal Government
☐ Municipal Police Officer ☐ Wildlife Officer ☐ Other
☐ Highway Traffic Officer ☐ Revenue Officer ☐ R.C.M.P.
(police detachment) (officer unit number)

COURT ACTION

DATE _____ FOR CROWN _____ FOR ACCUSED _____
PLEA: ☐ GUILTY ☐ NOT GUILTY **FINDING OF THE COURT:** ☐ STC ☐ DEF/COAV ☐ DISM ☐ WDRN ☐ B/W
 FINE _____ SURCHARGE _____ TOTAL _____ I/D _____ OTHER _____ PAID _____
 GIVEN UNTIL _____, 20____ TO PAY _____ DATE AND PLACE OF JUDGMENT _____ 20____
 AT _____ SASKATCHEWAN
 PART I (Judge or Justice of the Peace)

CERTIFICATE OF SERVICE

I, _____, a peace officer in Saskatchewan, DO CERTIFY that I did,
on the _____ day of _____, 20 _____ at _____ serve the
part of this ticket constituting the offence notice/summons on the within named.

Date _____ Signature of Peace Officer _____

ENDORSEMENTS—ADJOURNMENTS—PARTICULARS

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

AFFIDAVIT OF SERVICE

I, _____, of _____,
a peace officer in Saskatchewan,
MAKE OATH AND SAY that I did, on the _____ day of _____, 20_____,
at _____, personally serve on _____,
a true copy of the attached Summary Offence Ticket Information.

Dated: _____ Signature of Peace Officer _____

SWORN BEFORE me at the city of _____, in the Province of Saskatchewan,
this _____ day of _____, 20 _____.

(A Commissioner for oaths in and for the Province of Saskatchewan)

My appointment expires: _____

2009-2

SUMMARY OFFENCES PROCEDURE, 1991

S-63.1 REG 2

OFFENCE NOTICE

TICKET NO.

ON BEHALF OF HER MAJESTY THE QUEEN IN THE PROVINCE OF SASKATCHEWAN THE PEACE OFFICER DECLARES THAT HE/SHE HAS REASONABLE GROUNDS TO BELIEVE AND DOES BELIEVE THAT:

NAME _____ (last) _____ (first) _____ (other) ☐ M ☐ F ☐ C

DRIVER'S LICENCE NO. ☐ Saskatchewan _____ Class _____ ☐ Other Jurisdiction _____ (province/state) _____ (number) _____

DATE OF BIRTH _____ Day _____ Month _____ Year _____

ADDRESS _____ (street) _____ (city) _____ (province) _____ (postal code) _____

On the _____ day of _____, 20 _____ ☐ At _____ at _____ ☐ M
Near _____ (Saskatchewan) _____ (Time)

DID UNLAWFULLY COMMIT THE FOLLOWING OFFENCE UNDER SECTION NO. _____ of:

- ☐ The Alcohol and Gaming Regulation Act, 1997 ☐ The Highways and Transportation Act, 1997 ☐ The Traffic Safety Act ☐ The Wildlife Act, 1998
- ☐ Regulations under indicated Act _____ ☐ Bylaw No. _____ for _____ (municipality)
- ☐ Other _____

Description of Offence: ☐ Exceed Speed Limit of _____ ☐ Driver/ ☐ Passenger failing to properly wear seat belt

☐ Other _____

(description)

PLEASE READ THE BACK OF YOUR COPY CAREFULLY FOR THE OPTIONS AVAILABLE FOR RESPONDING TO THIS TICKET

☐ A voluntary payment option of _____ exists which must be paid no later than the _____ day of _____, 20 _____

Pursuant to *The Summary Offences Procedure Act, 1990* this offence relates to:



☐ Traffic } Court at _____
☐ Provincial } _____ (Saskatchewan)

☐ PART IV—OFFENCE NOTICE

You are required to pay the voluntary penalty or respond to this notice under the options granted to you on the back of your notice by the date indicated above for payment of the voluntary penalty, or appear at:

on the _____ day of _____, 20 _____
at _____ M. to answer to the above charge and be further dealt with according to the law.

I, _____ (print) _____ a Peace Officer in Saskatchewan.

CERTIFY that I did, on the _____ day of _____, 20 _____ issue this ticket.

(Signature of Peace Officer)

THE FOLLOWING DOES NOT FORM PART OF THE CHARGE BUT IS PROVIDED FOR INFORMATION ONLY:

Vehicle Make	Type/Make and Model	Vehicle Year	Vehicle Licence No.	Class	<input type="checkbox"/> Saskatchewan	Licence Exp. Year
					<input type="checkbox"/> Other _____	

☐ VEHICLE IS A POWER UNIT, TRUCK, (EXCLUDING PICK-UPS) OR BUS NSC/DOT NO. _____

Owner's Name (if different than above) _____ (last) _____ (first) _____ (other) _____

Address (if different than above) _____ (street) _____ (city/town) _____ (province) _____

Vehicle was clocked at _____ km/hr.

FINE IS PAYABLE TO:

- ☐ Municipal Police Officer ☐ Wildlife Officer ☐ Other ☐ Municipality ☐ Province ☐ Federal Government
- ☐ Highway Traffic Officer ☐ Revenue Officer ☐ R.C.M.P. _____ (police detachment) _____ (officer unit number)

Choose ONE of the following options:

- 1 ☐ I CHOOSE TO PAY THE VOLUNTARY PAYMENT AMOUNT LISTED ON THE FRONT OF THIS OFFENCE NOTICE. I have completed and signed the Plea of Guilty form below and I am sending this offence notice. (Make cheque or money order payable to the Provincial Court of Saskatchewan).

If paying by Visa or MasterCard:

CARDHOLDER'S NAME: _____

CARDHOLDER'S SIGNATURE: _____

☐ VISA ☐ MASTERCARD AMOUNT \$ _____

CARD NUMBER _____

CARD EXPIRY DATE MONTH _____ YEAR _____

Provincial Court Payment and Information Centre
P.O. Box 5030
Regina, Saskatchewan
S4P 3T9

For Visa or MasterCard payment: **INTERNET** www.finepayment.justice.gov.sk.ca
OFFICE HOURS Monday to Friday, 8 a.m. to 5 p.m. (Central Standard Time/C.S.T.)
TELEPHONE REGINA: 787-7821 CANADA-WIDE: 1-888-935-5555

PLEA OF GUILTY FORM

I hereby plead GUILTY to the offence charged against me as listed on the other side of this ticket.

Name of person charged: _____ I enclose the VOLUNTARY PAYMENT amount of \$ _____
(please print name)

Signature: _____

- 2 ☐ I CHOOSE TO PLEAD GUILTY TO THIS OFFENCE BUT WANT TO APPEAR BEFORE A JUSTICE TO EXPLAIN WHY I SHOULD PAY A PENALTY LOWER THAN THE VOLUNTARY PENALTY OR WHY I NEED MORE TIME TO PAY. I understand I have the choice of:
- (A) Appearing before a Justice at the court location and date listed on the other side of this ticket; OR
- (B) Appearing before a Justice at the court location listed on the other side of this ticket BUT on a different date. To obtain a different date I understand that I must complete and sign the Plea of Guilty Form below and send this ticket BEFORE THE VOLUNTARY PAYMENT DEADLINE LISTED ON THE OTHER SIDE OF THIS TICKET to the address at the top of this page. I understand that I will be informed of the new court date by notice mailed to the address on the other side of this ticket unless I complete the change of address below.

PLEA OF GUILTY FORM

I hereby plead GUILTY to the offence charged against me as listed on the front of this notice. I wish to have a different court date set in order to appear before a Justice and explain why I should pay a lower penalty than the voluntary penalty or ask for more time to pay.

Name of person charged: _____ Signature: _____ Telephone: _____
(please print name)

- 3 ☐ I WISH TO PLEAD NOT GUILTY
- I understand I have the choice of:
- (A) Appearing before a Justice at the court location and date listed on the other side of this ticket to enter my plea and have a trial date set for this matter; OR
- (B) Filling out and signing the following statement and sending this offence notice to the address listed at the top of this page BEFORE THE VOLUNTARY PAYMENT DEADLINE LISTED ON THE OTHER SIDE OF THIS TICKET.

I wish to plead **NOT GUILTY** to the offence I have been charged with and WILL APPEAR AT THE COURT LOCATION LISTED ON THE OTHER SIDE OF THIS TICKET. I understand I will be advised of this trial date by ordinary mail which will be sent to the address that appears on the other side of this ticket unless I indicate a different address below. I understand that if I fail to appear for my trial it will proceed in my absence and I will be responsible for paying any penalty plus late payment charges that may result.

Signature: _____ Date: _____ Telephone: _____

CHANGE OF ADDRESS Complete this section if your address is different than the address shown on the other side of this ticket:

Street: _____ City/Town: _____

Province/State: _____ Postal Code: _____ Telephone: _____

WARNING IF YOU FAIL TO RESPOND TO THIS NOTICE BY THE COURT APPEARANCE DATE SHOWN ON THE OTHER SIDE OF THIS TICKET YOU WILL BE DEEMED NOT TO WISH TO DISPUTE THE CHARGE AND:

- (A) A JUSTICE WILL ENTER A CONVICTION IN YOUR ABSENCE RESULTING IN A FINE TO BE PAID WITHIN 15 DAYS OF THE CONVICTION.
- (B) IF THE FINE AMOUNT IS NOT PAID WITHIN 30 DAYS OF THE CONVICTION A LATE PAYMENT CHARGE OF \$40.00 WILL BE ADDED TO THE FINE. IF PAYING BY CREDIT CARD, THE FEE AMOUNT WILL BE CHARGED ALONG WITH THE VOLUNTARY PAYMENT AMOUNT.
- (C) YOUR DRIVER'S LICENCE WILL NOT BE RENEWED UNTIL YOUR FINE AND LATE PAYMENT CHARGES ARE PAID.

Unpaid fines will be sent to a collection agency and will affect your credit rating.**NOTE:** The voluntary payment option includes a victim surcharge. These funds are used for programs to assist victims of crime.

IF YOU HAVE ANY INQUIRIES RELATING TO THIS OFFENCE NOTICE, PLEASE TELEPHONE THE PROVINCIAL COURT PAYMENT AND INFORMATION CENTRE. IN REGINA: 787-2024 CANADA-WIDE: 1-800-661-2024 OFFICE HOURS: MONDAY to FRIDAY, 8 a.m. to 5 p.m. (C.S.T.)

2009-2

SUMMARY OFFENCES PROCEDURE, 1991

S-63.1 REG 2

SUMMONS

TICKET NO.

ON BEHALF OF HER MAJESTY THE QUEEN IN THE PROVINCE OF SASKATCHEWAN THE PEACE OFFICER DECLARES THAT HE/SHE HAS REASONABLE GROUNDS TO BELIEVE AND DOES BELIEVE THAT:

NAME _____ (last) _____ (first) _____ (other) ☐ M ☐ F ☐ C

DRIVER'S LICENCE NO. ☐ Saskatchewan _____ Class _____ ☐ Other Jurisdiction _____ (province/state) _____ (number) _____

DATE OF BIRTH _____ Day _____ Month _____ Year _____

ADDRESS _____ (street) _____ (city) _____ (province) _____ (postal code) _____

On the _____ day of _____, 20 _____ ☐ At _____ ☐ Near _____ (Saskatchewan) _____ at _____ (Time) _____ ☐ M

DID UNLAWFULLY COMMIT THE FOLLOWING OFFENCE UNDER SECTION NO. _____ of:

- ☐ The Alcohol and Gaming Regulation Act, 1997 ☐ The Highways and Transportation Act, 1997 ☐ The Traffic Safety Act ☐ The Wildlife Act, 1998
- ☐ Regulations under indicated Act _____ ☐ Bylaw No. _____ for _____ (municipality)
- ☐ Other _____

Description of Offence: ☐ Exceed Speed Limit of _____ ☐ Driver/ ☐ Passenger failing to properly wear seat belt

☐ Other _____ (description)

PLEASE READ THE BACK OF YOUR COPY CAREFULLY FOR THE OPTIONS AVAILABLE FOR RESPONDING TO THIS TICKET

☐ A voluntary payment option of _____ exists which must be paid no later than the _____ day of _____, 20 _____

Pursuant to *The Summary Offences Procedure Act, 1990* this offence relates to:

☐ PART III—SUMMONS

If the voluntary payment option is not available or you choose not to pay the voluntary payment where this option is available, or you intend to plead not guilty, you are commanded to appear in:

- ☐ Traffic } Court at _____
- ☐ Provincial } _____ (Saskatchewan)



on the _____ day of _____, 20 _____
at _____ M. to answer to the above charge and be further
dealt with according to the law.

I, _____ (print) _____ a Peace Officer in Saskatchewan,

CERTIFY that I did, on the _____ day of _____, 20 _____ issue this ticket.

(Signature of Peace Officer)

THE FOLLOWING DOES NOT FORM PART OF THE CHARGE BUT IS PROVIDED FOR INFORMATION ONLY:

Vehicle Make	Type/Make and Model	Vehicle Year	Vehicle Licence No.	Class	<input type="checkbox"/> Saskatchewan <input type="checkbox"/> Other _____	Licence Exp. Year
--------------	---------------------	--------------	---------------------	-------	---	-------------------

☐ VEHICLE IS A POWER UNIT, TRUCK, (EXCLUDING PICK-UPS) OR BUS NSC/DOT NO. _____

Owner's Name (if different than above) _____ (last) _____ (first) _____ (other) _____

Address (if different than above) _____ (street) _____ (city/town) _____ (province) _____

Vehicle was clocked at _____ km/hr.

FINE IS PAYABLE TO: ☐ Municipality ☐ Province ☐ Federal Government

- ☐ Municipal Police Officer ☐ Wildlife Officer
- ☐ Highway Traffic Officer ☐ Revenue Officer

☐ Other _____

☐ R.C.M.P. _____ (police detachment) _____ (officer unit number)

YOU HAVE THE FOLLOWING OPTIONS:

- 1 ☐ If the offence is one in which there may be paid a specified penalty sum (voluntary payment as indicated on the face of the summons), sign the Plea of Guilty form below and send the summons to the address below. *(Make cheque or money order payable to the Provincial Court of Saskatchewan).*

Provincial Court Payment and Information Centre
P.O. Box 5030
Regina, Saskatchewan
S4P 3T9

If paying by Visa or MasterCard:

CARDHOLDER'S NAME: _____

CARDHOLDER'S SIGNATURE: _____

☐ VISA ☐ MASTERCARD AMOUNT \$ _____

CARD NUMBER _____

CARD EXPIRY DATE MONTH _____ YEAR _____

For Visa or MasterCard payment: **INTERNET** www.finepayment.justice.sk.ca
OFFICE HOURS Monday to Friday, 8 a.m. to 5 p.m. (Central Standard Time/C.S.T.)
TELEPHONE REGINA: 787-7821 CANADA-WIDE: 1-888-935-5555

PLEA OF GUILTY FORM

I hereby plead GUILTY to the offence charged against me in this summons (reverse side).

Signature of person charged: _____ I enclose the VOLUNTARY PAYMENT of \$ _____

- 2 ☐ If the offence does **not** have a voluntary payment option you are required to appear in Court to answer this summons, on the date and at the place indicated on the face of this summons.

WARNING

If you fail to respond as provided by the options, that is, if you fail to:

- (a) pay the voluntary payment penalty indicated on the reverse;
- (b) appear personally or by your agent to answer this summons on the date indicated on the reverse;

then a warrant may be issued for your arrest or the court may proceed with a trial of the matter in your absence. In addition, failure to respond may result in additional charges.

Unpaid fines will be sent to a collection agency and will affect your credit rating.

NOTE: Where authorized, the voluntary payment option includes a victim surcharge. These funds are used for programs to assist victims of crime. If you choose option 1 above, a conviction will be entered and recorded against you.

IF YOU HAVE ANY INQUIRIES RELATING TO THIS SUMMONS, PLEASE TELEPHONE THE PROVINCIAL COURT
PAYMENT AND INFORMATION CENTRE.

IN REGINA: 787-2024 CANADA-WIDE: 1-800-661-2024 OFFICE HOURS: MONDAY to FRIDAY, 8 a.m. to 5 p.m. (C.S.T.)

2009-2

SUMMARY OFFENCES PROCEDURE, 1991

S-63.1 REG 2

POLICE RECORD

TICKET NO.

ON BEHALF OF HER MAJESTY THE QUEEN IN THE PROVINCE OF SASKATCHEWAN THE PEACE OFFICER DECLARES THAT HE/SHE HAS REASONABLE GROUNDS TO BELIEVE AND DOES BELIEVE THAT:

NAME (last) (first) (other) M F C

DRIVER'S LICENCE NO. ☐ Saskatchewan Class ☐ Other Jurisdiction (province/state) (number)

DATE OF BIRTH Day Month Year

ADDRESS (street) (city) (province) (postal code)

On the day of , 20 At Near (Saskatchewan) (Time) M

DID UNLAWFULLY COMMIT THE FOLLOWING OFFENCE UNDER SECTION NO. of:

- ☐ The Alcohol and Gaming Regulation Act, 1997 ☐ The Highways and Transportation Act, 1997 ☐ The Traffic Safety Act ☐ The Wildlife Act, 1998
- ☐ Regulations under indicated Act Bylaw No. for (municipality)
- ☐ Other

Description of Offence: ☐ Exceed Speed Limit of ☐ Driver/ ☐ Passenger failing to properly wear seat belt

☐ Other

(description)

PLEASE READ THE BACK OF YOUR COPY CAREFULLY FOR THE OPTIONS AVAILABLE FOR RESPONDING TO THIS TICKET

☐ A voluntary payment option ☐ exists which must be paid no later than the day of , 20

Pursuant to The Summary Offences Procedure Act, 1990 this offence relates to:

PART III—SUMMONS

If the voluntary payment option is not available or you choose not to pay the voluntary payment where this option is available, or you intend to plead not guilty, you are commanded to appear in:

- ☐ Traffic } Court at
- ☐ Provincial } (Saskatchewan)

PART IV—OFFENCE NOTICE

You are required to pay the voluntary penalty or respond to this notice under the options granted to you on the back of your notice by the date indicated above for payment of the voluntary penalty, or appear at:

on the day of , 20
at M. to answer to the above charge and be further dealt with according to the law.

I, (print) a Peace Officer in Saskatchewan,

CERTIFY that I did, on the day of , 20 issue this ticket.

(Signature of Peace Officer)

THE FOLLOWING DOES NOT FORM PART OF THE CHARGE BUT IS PROVIDED FOR INFORMATION ONLY:

Vehicle Make	Type/Make and Model	Vehicle Year	Vehicle Licence No.	Class	<input type="checkbox"/> Saskatchewan <input type="checkbox"/> Other	Licence Exp. Year
--------------	---------------------	--------------	---------------------	-------	--	-------------------

☐ VEHICLE IS A POWER UNIT, TRUCK, (EXCLUDING PICK-UPS) OR BUS NSC/DOT NO.

Owner's Name (if different than above) (last) (first) (other)

Address (if different than above) (street) (city/town) (province)

Vehicle was clocked at km/hr.

FINE IS PAYABLE TO:

- ☐ Municipal Police Officer ☐ Wildlife Officer ☐ Other ☐ Municipality ☐ Province ☐ Federal Government
- ☐ Highway Traffic Officer ☐ Revenue Officer ☐ R.C.M.P. (police detachment) (officer unit number)

COURT ACTION

DATE FOR CROWN FOR ACCUSED

PLEA: ☐ GUILTY ☐ NOT GUILTY FINDING OF THE COURT: ☐ STC ☐ DEF/CONV ☐ DISM ☐ WDRN ☐ B/W

FINE SURCHARGE TOTAL I/D OTHER PAID

GIVEN UNTIL , 20 TO PAY . DATE AND PLACE OF JUDGMENT , 20

AT SASKATCHEWAN

PART 7 (Judge or Justice of the Peace)

OFFICER'S CASE SUMMARY		File Number _____
Act/Regulation _____	Section Number _____	
Radar Unit Number _____	Police Vehicle Number _____	
Posted Speed _____ km/hr	<input type="checkbox"/> Radar	<input type="checkbox"/> Clock
	<input type="checkbox"/> Speedometer	<input type="checkbox"/> Estimated
_____ Speed _____ km/hr		
Road conditions _____	Weather _____	Traffic _____

DETAILS OF OFFENCE _____

DESCRIPTION	HEIGHT	HAIR
	WEIGHT	MARKS
	EYES	OTHER
	EMPLOYMENT	TELEPHONE NUMBER

(HAVE NAMES AND ADDRESSES OF WITNESSES BEEN RECORDED?)

PART 8

12 May 2006 SR 38/2006 s13.

FORM A – PART 3
Repealed. 30 Oct 98 SR 82/98 s5.

FORM A – PART 4
Repealed. 30 Oct 98 SR 82/98 s5.

FORM B

The Summary Offences Procedure Act, 1990
[Subsection 26(6)]

PROVINCIAL COURT OF SASKATCHEWAN

(location)

APPLICATION FOR EXTENSION OF TIME FOR PAYMENT OF FINE

TO THE JUSTICE AT _____

1. I, _____ of _____
(print full name) (city, town, village)

have been convicted of the following offence (or offences) pursuant to ticket number _____ ;

and on the _____ day of _____, 19 _____ at _____
(day of month) (month)

_____, Saskatchewan a fine in the amount of _____ was imposed.
(city, town, village)

2. (To be completed if any of the offences relate to the operation of a vehicle.)

My driver's licence number is _____

3. The fine (or fines) is (or are) due and payable on _____
(due date at time of conviction, or, if any extension has already been granted, the due date for payment as a result of the extension).

4. I request an extension (or further extension) of the time to pay the fine (or fines) for the following reason (or reasons): _____

DATED at _____, _____
(city, town, village) (province)

this _____ day of _____, 19_____
(day of month) (month)

☐ Approved

(Signature of Person Requesting Extension)

☐ Not Approved☐ Approved with Changes

(Signature of Judge or Justice)

FORM C

PROVINCIAL COURT OF SASKATCHEWAN

(location)

The Summary Offences Procedure Act, 1990
[Subsections 29(4) and 31(1)]

INFORMATION OR TICKET NO.

WARRANT OF COMMITTAL ON AN ORDER
FOR PAYMENT OF MONEY

CANADA

Province of Saskatchewan

ON BEHALF OF HER MAJESTY THE QUEEN

TO THE PEACE OFFICERS IN SASKATCHEWAN, AND TO THE KEEPER OF THE
_____ IN SASKATCHEWAN:

(name of correctional centre)

WHEREAS _____ of _____
(name of offender) (city, town, village)

was convicted of the following offences:

at/in _____, in Saskatchewan on
(city, town, village)

or about the _____ day of _____, 19 ____ and it was ordered that
(day of month) (month)

the offender pay a fine of \$ _____ on or before _____, 19 ____
and, in default, that the offender be imprisoned in the _____
(name of correctional centre)

for a term of _____ days, I hereby command you, in Her Majesty's name, to take
the offender and convey the offender safely to the _____
(name of correctional centre)

at _____ in the said province, and deliver the offender to the
(city, town, village)

keeper of it, together with the following precept:

I hereby command you, the keeper of the _____
(name of correctional centre)

to receive the offender into your custody and imprison the offender there for the term of days unless the amount of the fines and the costs and charges of the committal and of conveying the offender to the correctional centre are paid before the end of the term, and for so doing this is a sufficient warrant.

DATED at _____ , _____ ,
(city, town, village) (province)

this _____ day of _____ , 19 ____ .
(day of month) (month)

A Justice of the Peace in and for Saskatchewan

21 Dec 90 c.S-63.1 Reg 2 Form C.

FORM D

PROVINCIAL COURT OF SASKATCHEWAN

(location)

The Summary Offences Procedure Act, 1990
[Subsection 31(2)]

REQUEST FOR HEARING AFTER NOTICE OF WARRANT OF COMMITTAL

TO THE JUSTICE AT _____

1. I, _____ of _____
(print full name) (city, town, village)

have received a written notice dated the ____ day of _____ , 19 ____ ,
(day of month) (month)

pursuant to clause 31(1)(c) of *The Summary Offences Procedure Act, 1990* of the intent to issue a warrant of committal for imprisonment for a fine (or fines) in default.

2. The notice advised that a default conviction was entered against me for the following offence (or offences):

and that the conviction was entered on the ____ day of _____ , 19 ____ .
(day of the month) (month)

3. I have failed to pay the fine (or fines) for the following reason (or reasons):

4. I request a hearing before a justice to explain why I think that a warrant of committal for imprisonment should not be issued.
5. The address where a notice of the time and place for the hearing should be sent to me is:

DATED at _____, _____,
(city, town, village) (province)

this _____ day of _____, 19 _____.
(day of month) (month)

(Signature of Person Requesting Extension)

21 Dec 90 c.S-63.1 Reg 2 Form D.

FORM D.1
Affidavit of Default of Payment of Restitution Order
 [Subsection 32.4(2)]

Court of Queen's Bench for Saskatchewan

 (location)

Affidavit of Default of Payment of Restitution Order

I, _____, of _____,
 Saskatchewan, make oath and say:

1. That I am the person to be paid pursuant to the restitution order # _____
 made by _____ on _____.
2. That attached and marked Exhibit "A" to this my affidavit is a copy of restitution
 order # _____.
3. That the offender has:
☐ not paid any of the of the amount ordered.
 OR
☐ paid \$ _____ of the amount ordered.
4. That \$ _____ remains unpaid pursuant to the order.
 (amount)
5. That I make this affidavit in support of the registration of the restitution order with
 this Honourable court pursuant to subsection 32.4(2) of *The Summary Offences
 Procedure Act, 1990*.

SWORN BEFORE ME at the _____ of)
 _____ in the Province of)
 of Saskatchewan, this _____ day of)
 _____, 19 ____ .)

 (Signature)

 A Commissioner for Oaths in and for
 the Province of Saskatchewan.

My commission expires on _____

13 Dec 96 SR 98/96 Form D.1.

FORM E
Repealed. 26 Apr 96 SR 14/96 s.6.

FORM F
Repealed. 26 Apr 96 SR 14/96 s.6.

FORM G
Repealed. 26 Apr 96 SR 14/96 s.6.

PART 2

Voluntary Payment Offences - Summons Ticket Issued

[Clause 8(a)]

TABLE 1

The Highways and Transportation Act, 1997

The provisions set out in Column 3 are the provisions of *The Highways and Transportation Act, 1997* that impose the prohibitions or requirements described in Column 2. The provisions of that Act listed in Column 4 provide that contraventions of the corresponding provisions in Column 3 are offences. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

<i>Column 1 Item Number</i>	<i>Column 2 Description of Offence</i>	<i>Column 3 Section</i>	<i>Column 4 Offence</i>	<i>Column 5 Penalty Sum in Dollars</i>
1	Bypassing a weighing machine	37(2)*	37(11)	\$150
2	Contravening minister's weight order	38(1)*	38(2)	100 plus \$10 for each 50 kilograms or fraction thereof of overweight exceeding statutory limit and \$15 for each 50 kilograms of excess weight if the excess weight is 1,000 kilograms or more
3	Repealed. 30 Oct 98 SR 82/98 s6.			
4	Exceeding maximum weight specified in a permit	38(1)*	38(2)	100 plus \$10 for each 50 kilograms or fraction thereof of overweight exceeding statutory limit and \$15 for each 50 kilograms of excess weight if the excess weight is 1,000 kilograms or more

5	Exceeding maximum dimension specified in a permit	38(1)*	38(2)	50 for individuals; 100 for corporations
6	Failing to comply with a term or condition specified in a permit	38(1)	38(2)	50 for individuals; 100 for corporations
7	Repealed. 30 Oct 98 SR 82/98 s6.			
8	Throwing or placing rubbish or litter on a public highway	23(1)	23(2)	50
9	Driving a vehicle loaded insecurely	40(2)	40(5)	125
10	Driving a vehicle where discharge, emission or escape of dangerous goods occurs or is imminent	40(3)	40(5)	125
11	Operating a vehicle with cargo not secured in accordance with the regulations	40(4)	40(5)	125

27 Feb 98 SR 19/98 s4; 30 Oct 98 SR 82/98 s6;
28 Apr 2000 SR 26/2000 s5; 14 Jly 2000
SR 51/2000 s6.

TABLE 2
The Vehicle Weight And Dimension Regulations, 1999

The provisions set out in Column 3 are the provisions of *The Vehicle Weight and Dimension Regulations, 1999*, made pursuant to *The Highways and Transportation Act, 1997*, that impose the prohibitions or requirements described in Column 2. Section 38 of that Act provides that a contravention of those regulations is an offence. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

Column 1 Item Number	Column 2 Description of Offence	Column 3 Section	Column 4 Penalty Sum in Dollars
1	Exceeding the maximum width specified	7*	\$50 for individuals; 100 for corporations
2	Exceeding the maximum length specified	7*	50 for individuals; 100 for corporations
3	Exceeding the maximum height specified	7*	50 for individuals; 100 for corporations

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4	Exceeding the maximum internal dimensions	8	50 for individuals; 100 for corporations
5	Failing to comply with conditions and restrictions for over dimension vehicles and loads	9	50 for individuals; 100 for corporations
6	Displaying a 'D' sign, Wide Load sign or Long Load sign when not required by a permit or the regulations	10	50 for individuals; 100 for corporations
7	Exceeding the maximum weight	13*, 14*, 15*	100 plus \$10 for each 50 kilograms or portion of 50 kilograms of excess weight exceeding statutory limit and \$15 for each 50 kilograms of excess weight if the excess weight is 1,000 kilograms or more

28 Apr 2000 SR 26/2000 s6; 15 Dec 2000 SR 99/2000 s5.

TABLE 3
The Traffic Safety Act

The provisions set out in Column 3 are the provisions of *The Traffic Safety Act* that impose the prohibitions or requirements described in Column 2. Section 275 of that Act provides that a contravention of any of those provisions is an offence. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

<i>Column 1</i> <i>Item Number</i>	<i>Column 2</i> <i>Description of Offence</i>	<i>Column 3</i> <i>Provision</i>	<i>Column 4</i> <i>Penalty Sum in Dollars</i>
1	Driving a motor vehicle on a highway without an appropriate driver's licence	32(1)*	\$100
2	Driving while under 16 years of age	33	100
3	Holding more than one driver's licence	35(1)	85
4	Defacing or altering a driver's licence	35(2)(a)	85
5	Defacing or altering a photo identification card	35(2)(b)	85
6	Creating or causing to be created a document that purports to be a driver's licence	35(4)	85
7	Allowing another person to use licence	35(5)	100
8	Driving a motor vehicle in violation of a licence endorsement or restriction	38	100
9	Failing to produce a licence	39(1)	60
10	Producing another person's licence	39(2)	100
11	Holder of driver's licence failing to notify administrator of change of name or address within 15 days	45	40
12	Driving an unregistered vehicle	57(1)	500

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13	Operating an unregistered trailer	57(1)	125
14	Using a certificate of registration in a prohibited manner	59(1)	125
15	Defacing or altering a certificate of registration	59(2)	85
16	Creating or causing to be created a document that purports to be a certificate of registration	59(3)	85
17	Failing to produce a certificate of registration	61	60
18	Failing to produce a registration permit on request	61	60
19	Permitting a dealer plate to be displayed unlawfully	68(4)	125
20	Representing to a purchaser that a dealer plate authorizes the purchaser to drive the vehicle	68(5)	125
21	Holder of certificate of registration or registration permit failing to notify administrator of change of name or address within 15 days	71	40
22	Using registration permit in prohibited manner	74(1)	125
23	Defacing or altering a registration permit	74(2)	85
24	Failing to properly display a registration permit	74(3)	60
25	Transporting passengers without obtaining an operating authority certificate	76(a)*	100 for individuals; 200 for corporations
26	Transporting passengers contrary to terms or conditions of an operating authority certificate	76(a)*	100 for individuals; 200 for corporations

27	Failing to display required identification on a public service vehicle	87	40
28	Failing to use a bill of lading in the form and manner prescribed in the regulations	88(1)*	100
29	Defacing or altering an operating authority certificate	91*	200
30	Failing to produce an operating authority certificate	92	40
31	Operating or causing to be operated a vehicle without subsisting inspection certificate	116(1)*	50
32	Failing to locate or display a current inspection certificate in the manner required by the regulations	117(4)*	40
33	Failing to produce vehicle inspection certificate	117(5)	40
34	Failing to display a licence plate	192(1)	60
35	Driving a vehicle while the licence plates are not visible and legible	192(2)	60
36	Displaying an unauthorized licence plate	192(3)	125
37	Defacing or altering a licence plate	192(4)	85
38	Driving vehicle displaying defaced or altered licence plate	192(4)	85
39	Failing to display a current and valid validation sticker on a licence plate	192(5)	60
40	Passenger performing an activity on a highway that is likely to distract, startle or interfere with other users of the highway	214(3)	100

41	Pedestrian or bystander performing an activity on a highway that is likely to distract, startle or interfere with other users of the highway	214(4)	100
42	Creating or causing a loud and unnecessary noise	215*	60
43	Riding an animal on the left hand side of a highway	220(2)	60
44	Walking into the path of a vehicle when it is unsafe	223(3)	30
45	Unlawfully walking on a highway	223(5)	30
46	Pedestrian entering an intersection against an amber light	235(3)(b)	30
47	Pedestrian entering an intersection against a red light	235(5)(c)	30
48	Pedestrian crossing against a "wait" or "don't walk" signal	237(3)	30
49	Holding on to a moving vehicle	240(1)	100
50	Riding on the exterior part of a motor vehicle	244(1)	100
51	Occupying a trailer or semi-trailer while it is being pulled on a highway	244(2)	85
52	Sitting on the wrong side of the driver	245(1)	125
53	Overcrowding the driving compartment	245(4)	85
54	Passenger failing to wear safety helmet on a motorcycle	247(2)	60
55	Passenger failing to wear prescribed eye protection on a motorcycle without a windshield	247(4)	60

56	Riding side saddle on a motorcycle	247(6)	125
57	Passenger riding in front of the driver on a motorcycle	247(9)(a)	125
58	Passenger riding on a motorcycle that is not equipped in the required manner	247(9)(b)	125
59	Passenger failing to wear a seat-belt assembly	248(2)	125
60	Passenger failing to wear a seat-belt assembly properly	248(2)	125
61	Putting material on a highway that might damage tires	249(1)	100
62	Throwing a burning substance from a vehicle	249(2)	100
63	Exceeding registered gross vehicle weight or 5 000 kilograms if no registered gross vehicle weight	250(3)*	100 for individuals; 350 for corporations
64	Operating a vehicle for an unauthorized purpose	250(6)	60 for individuals; 110 for corporations

15 Dec 2006 SR 110/2006 s5.

TABLE 4

*The Motor Carrier Act***Repealed.** 12 May 2006 SR 38/2006 s15.

TABLE 5

The Dangerous Goods Transportation Act

List of voluntary payment offences under *The Dangerous Goods Transportation Act*. The provisions of that Act that are referred to in Column 3 are those that include the prohibition or requirement described in Column 2. Section 18 of that Act provides that a contravention of any of the provisions referred to in Column 3 is an offence. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

<u>Column 1</u> <i>Item</i> <i>Number</i>	<u>Column 2</u> <i>Description of Offence</i>	<u>Column 3</u> <i>Section</i>	<u>Column 4</u> <i>Penalty Sum</i> <i>in Dollars</i>
1	Failing to ensure dangerous goods documentation accompanies dangerous goods consignment	6(a)*	\$400
2	Failing to ensure dangerous goods documentation accompanies dangerous goods consignment where an Emergency Response Assistance Plan is required on the shipping document	6(a)	600
3	Handling, offering for transport or transporting dangerous goods without proper documentation	6(a)*	200
4	Being a trained person, failing to produce training certificate on request	6(a)*	50
5	Not being a trained person, handling, offering for transport or transporting dangerous goods	6(a)	200
6	Directing a person who is not a trained person to handle, offer for transport or transport dangerous goods without the direct supervision of a trained person	6(a)	400
7	Directing a person who is not a trained person to handle, offer for transport or transport dangerous goods without the direct supervision of a trained person where an Emergency Response Assistance Plan is required for handling, offering for transport or transporting dangerous goods	6(a)	600

8	Failing to immediately report lost or stolen dangerous goods:		
	(a) to the local police respecting Class 1 explosives, class 6.2 infectious substances or 7 radio-active material	6(a)	200
	(b) to CANUTEC at (613) 996-6666 respecting Class 6.2 infectious substances	6(a)	200
9	Failing to display on all containers, packaging or means of transport each prescribed safety mark required, including a label, placard, shipping name or product identification number, in the manner required	6(b)*	200
10	Failing to display product identification number (PIN) on an orange panel adjacent to the placard on a large container or transport unit where any quantity of dangerous goods being handled, offered for transport or transported corresponds with any of the following PINs: 1589, 1051, 1660, 1067, 1076 or 2199	6(b)	600
11	Failing to display prescribed safety mark described in item number 10, where safety mark identifies dangerous goods requiring an Emergency Response Assistance Plan for those PINs listed in item number 10	6(b)*	400
12	Failing to display any prescribed safety marks	6(b)	400
13	Failing to display prescribed safety mark where safety mark identifies dangerous goods, other than those with PINs listed in item number 10, requiring an Emergency Response Assistance Plan	6(b)	600
14	Failing to remove or conceal an orange panel or placard on a large container or transport unit where:		
	(a) the dangerous goods have been unloaded, cleaned or purged; and		
	(b) no hazard exists	6(b)	200

TABLE 6

The Livestock Inspection and Transportation Regulations, 1978

The provisions set out in Column 3 are the provisions of "The Livestock Inspection and Transportation Regulations, 1978", made pursuant to *The Animal Products Act*, that impose the prohibitions or requirements described in Column 2. Section 17 of that Act provides that a contravention of those regulations is an offence.

<i>Column 1 Item Number</i>	<i>Column 2 Description of Offence</i>	<i>Column 3 Section</i>	<i>Column 4 Penalty Sum in Dollars</i>
1	Transporting livestock without a livestock manifest	3(1)	\$50 plus \$5 for each animal transported without a manifest
2	Transporting livestock without a livestock permit	3(2)	50 plus \$5 for each animal transported without a permit
3	Transporting livestock from Saskatchewan without a permit	3(3)(a)	100 plus \$5 for each animal transported without a permit
4	Transporting livestock from Saskatchewan without a livestock manifest indicating that the livestock are to be delivered to a destination in Alberta where inspection service is available	3(3)(b)	100 plus \$5 for each animal transported without a manifest
5	Transporting livestock from Saskatchewan without manifest indicating that the livestock are to be delivered to a destination in Manitoba where inspection service is available	3(3)(c)	100 plus \$5 for each animal transported without a manifest
6	Failing to complete a livestock manifest in the proper manner	4	100
7	Transporting livestock in excess of the number specified on the permit	5(1)	50 plus \$5 for each animal over permit number

8	Transporting livestock without a separate livestock manifest for each contributor	12(1)	50
9	Transporting livestock in a vehicle that does not meet the requirements of the regulations	17(1)	75
10	Failing to meet the minimum space requirements when transporting livestock	19(1)	50
11	Failing to provide proper vehicle partitions when transporting livestock	19(2)	50
12	Transporting livestock in an improperly ventilated vehicle	20(1)	50
13	Failing to afford ample opportunity for access to feed, water and rest before reloading	22(1)	75

21 Dec 90 cS-63.1 Reg 2.

TABLE 7
The Highway Traffic Act
Repealed. 12 May 2006 SR 38/2006 s16.

TABLE 7.1

The Commercial Vehicles Hours of Service Regulations

The provisions set out in Column 3 are the provisions of *The Commercial Vehicles Hours of Service Regulations* made pursuant to *The Highway Traffic Act* that impose the prohibitions or requirements described in Column 2. Section 94 of that Act provides that a contravention of those regulations is an offence.

<i>Column 1</i> <i>Item</i> <i>Number</i>	<i>Column 2</i> <i>Description of Offence</i>	<i>Column 3</i> <i>Section</i>	<i>Column 4</i> <i>Penalty Sum in Dollars</i>
1	Driving a commercial vehicle or requesting, requiring or permitting another person to drive a commercial vehicle without 8 consecutive hours of off-duty time	3	200 for corporations
2	Driving a commercial vehicle or requesting, requiring or permitting another person to drive a commercial vehicle in excess of the prescribed daily limits	6	200 for corporations
3	Failing to supply copies of required documents relating to issuance of a permit within the required time	11	200 for corporations
4	Failing to keep or maintain a driver's daily log or to ensure that drivers keep and maintain a driver's daily log	14	200 for corporations
5	Failing to complete a driver's daily log as prescribed	14	200 for corporations
6	Driving a commercial vehicle or requiring or permitting a person to drive a commercial vehicle without a driver's daily log completed up to last change in duty status	16	200 for corporations
7	Failing to forward driver's daily log to carrier within 20 days after completing daily log	19	200 for corporations
8	Failing to keep and maintain daily logs for six months	19	200 for corporations

11 Jly 97 SR 57/97 s8; 27 Feb 98 SR 19/98 s4; 28 Apr 2000 SR 26/2000 s11; 25 Oct 2002 SR 94/2002 s5.

TABLE 8

The All Terrain Vehicles Act

The provisions set out in Column 3 are the provisions of *The All Terrain Vehicles Act* that impose the prohibitions or requirements described in Column 2. The provisions of that Act listed in Column 4 provide that contraventions of the corresponding provisions in Column 3 are offences. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

<i>Column 1 Item Number</i>	<i>Column 2 Description of Offence</i>	<i>Column 3 Section</i>	<i>Column 4 Offence</i>	<i>Column 5 Penalty Sum in Dollars</i>
1	Operating an all terrain vehicle without a driver's licence	3(1)	29, 30	\$100
2	Operating an all terrain vehicle without landowner's permission	6	29, 30	40
3	Operating an all terrain vehicle on the travelled portion of a highway without authorization	7(1)	29, 30	100
4	Operating an all terrain vehicle where prohibited by bylaw or order	12(1), (2), 13(1), (2)	29, 30	40
5	Operating an all terrain vehicle without subsisting contract of insurance	14	29, 30	55
6	Failure to produce proof of financial responsibility	15	29, 30	30
7	Exceeding a reasonable and safe speed	16(1)(c)*	29, 30	100
8	Operating an all terrain vehicle within 2 metres of the travelled portion of a highway	16(1)(d)	29, 30	50
9	Operating an all terrain vehicle at night on the untravelled portion of a highway in a direction other than that being travelled by vehicles on the travelled portion of that side of the highway	16(1)(e)	29, 30	40

10	Operating an all terrain vehicle with a passenger unless the all terrain vehicle was designed to carry a passenger	16(1)(g)	29, 30	50
11	Operating all terrain vehicle at night without using lights	16(1)(h)	29, 30	40
12	Passing an oncoming vehicle other than on the right	17(1)(a)	29, 30	40
13	Failing to yield right-of-way	17(1)(b), (d)	29, 30	100
14	Overtaking another vehicle going the same direction other than on the left	17(1)(c)	29, 30	50
15	Failing to maintain a safe following distance	17(1)(e)	29, 30	50
16	Failing to signal intention to turn abruptly	17(1)(f)	29, 30	50
17	Failing to immediately stop all terrain vehicle on request of a peace officer	27(1)(g)	29, 30	50
18	Failure to wear helmet and eye protection	18(1)	29, 30	60
19	Selling or giving in exchange an all terrain vehicle not equipped in accordance with the Act and these regulations	21	29, 30	40
20	Failure to produce a driver's licence	34(1)	29, 30	60
21	Supervisor failing to produce operator's licence	34(2)	29, 30	60

TABLE 9

The Snowmobile Act

The provisions set out in Column 3 are the provisions of *The Snowmobile Act* that impose the prohibitions or requirements described in Column 2. Section 37 of that Act provides that a contravention of any of those provisions is an offence.

<i>Column 1</i> <i>Item Number</i>	<i>Column 2</i> <i>Description of Offence</i>	<i>Column 3</i> <i>Section</i>	<i>Column 4</i> <i>Penalty Sum in Dollars</i>
1	Operating an unregistered snowmobile	3(1)(a)	\$ 60
2	Failing to display a plate or to carry a permit	3(1)(b)	60
3	Failing to produce a certificate of registration or permit	13	60
4	Operating a snowmobile without a subsisting licence	15(2)	100
5	Failing to produce a licence	17	60
6	Operating a snowmobile on a designated trail without a valid permit	20.1	125
7	Operating a snowmobile on or near a highway without authorization	21.1(1), (3), (5), (6)	100
8	Improperly crossing highway	21(4)	85
9	Operating a snowmobile without the required equipment	22	85
10	Operating a snowmobile in excess of the regulated speed	23(2)	100
11	Improper towing	24	100
12	Failing to yield right of way	27	100

TABLE 10

The School Bus Operating Regulations, 1987

The provisions set out in Column 3 are the provisions of *The School Bus Operating Regulations, 1987*, made pursuant to *The Highway Traffic Act*, that impose the prohibitions or requirements described in Column 2. Section 94 of that Act provides that a contravention of those regulations is an offence.

<i>Column 1 Item Number</i>	<i>Column 2 Description of Offence</i>	<i>Column 3 Section</i>	<i>Column 4 Penalty Sum in Dollars</i>
1	Permitting passengers on a bus to stand while bus is in motion	3(e)	\$50
2	Transporting firearms, explosives or other dangerous commodities on a bus	3(g)	50
3	Failing to maintain discipline and report any misconduct of passengers to the principal of the school	4(c)	50

21 Dec 90 cS-63.1 Reg 2.

TABLE 11

The Alcohol and Gaming Regulations Act, 1997

The provisions set out in Column 3 are the provisions of *The Alcohol and Gaming Regulation Act, 1997* that impose the prohibitions or requirements described in Column 2. The provisions of that Act listed in Column 4 provided that contraventions of the corresponding provisions in Column 3 are offences. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

<i>Column 1 Item Number</i>	<i>Column 2 Description of Offence</i>	<i>Column 3 Section</i>	<i>Column 4 Offence</i>	<i>Column 5 Penalty Sum in Dollars</i>
1	Having, consuming or giving beverage alcohol in a place other than a private place	107	139	\$200
2	Possessing or consuming beverage alcohol in a campground when alcohol ban in effect	107.1	139	200
3	Having, keeping, consuming or giving beverage alcohol in a vehicle	109(1)*	109(4)	300

4	Selling or giving beverage alcohol to a minor	110(1)*	110(5)	750
5	Failure on the part of a licensee or an employee to demand proof of age	111(1)	139	450
6	Failure by a minor to leave the premises after failing or refusing to supply proof of age	111(2)	111(3)	200
7	Minor acting in any way in the sale, handling or serving of beverage alcohol	113(1)(a)	113(2)	200
8	Permittee or employee of permittee allowing a minor to act in any way in the sale, handling or serving of beverage alcohol	113(1)(b)	113(2)	300
9	Permittee allowing a minor to consume beverage alcohol on premises where minors are allowed	113(1)(c)*	113(2)	750
10	Minor purchasing or attempting to purchase beverage alcohol	115(1)(a)	115(2)	300
11	Minor possessing or consuming any beverage alcohol	115(1)(b)	115(2)	300
12	Minor being in or remaining in a permitted premises	115(1)(c)	115(2)	300
13	Minor presenting false identification when attempting to purchase beverage alcohol	115(1)(d)	115(2)	300
14	Minor presenting false identification when attempting to gain access to or remain in a permitted premises	115(1)(e)	115(2)	300
15	Having, giving or consuming beverage alcohol on a premises when that beverage alcohol has not been sold or served by the permittee	116.1	139	200
16	Remaining in a permitted premises after being requested to leave	122(2)(a)	139	300

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17	Re-entering a permitted premises after being requested to leave	122(2)(b)	139	300
18	Selling or supplying beverage alcohol to a person who appears to be intoxicated	125*	139	750
19	Being intoxicated in a public place	126	139	150
20	Selling or providing beverage alcohol to a person who is apparently a minor unless the person is in fact not a minor	129(1)(e)	139	750
21	Opening a container on store premises for the purposes of testing, tasting, sampling or drinking beverage alcohol	131	139	150
22	Making an improper application for a licence or permit	136	139	300

3 Apr 2009 SR 33/2009 s4.

TABLE 11.1
The Alcohol Control Regulations, 2002

The provisions set out in Column 3 are the provisions of *The Alcohol Control Regulations, 2002*, made pursuant to *The Alcohol and Gaming Regulation Act, 1997*, that impose the prohibitions or requirements described in Column 2. The provisions of that Act listed in Column 4 provided that contraventions of the corresponding provisions in Column 3 are offences. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

Column 1 Item Number	Column 2 Description of Offence	Column 3 Section	Column 4 Offence	Column 5 Penalty Sum in Dollars
1	Serving beverage alcohol to a restaurant customer other than as part of a meal	10(1)*	139	\$300

3 Apr 2009 SR 33/2009 s4.

TABLE 12
The Wildlife Act, 1998

List of voluntary payment offences under *The Wildlife Act, 1998*. The provisions of that Act that are referred to in Column 3 are those that set out the prohibition or requirement described in Column 2. Sections 73, 74 and 75 of that Act provide that a contravention of any of the provisions referred to in Column 3 is an offence. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

<i>Column 1 Item Number</i>	<i>Column 2 Description of Offence</i>	<i>Column 3 Section</i>	<i>Column 4 Penalty Sum in Dollars</i>
1	Unlawfully transferring or using a licence	14	200
2	Failing to produce a licence	15	100
3	Unlawfully hunting	*25(1)	500 plus *animal or bird fee
4	Unlawfully exporting or importing	*31	200 plus *animal or bird fee and fee for any licence that is required
5	Unlawfully possessing wildlife	*33	500 plus *animal or bird fee
6	Non-Indian possessing wildlife	*34(2)	500 plus *animal or bird fee
7	Non-Indian assisting in hunting	*35(1)	500 plus *animal or bird fee
8	Exceeding the wildlife limit	*36(1)	200 plus *animal or bird fee
9	Unsupervised hunting by a person under 16 years of age	37(1)	200
10	Person under 16 years of age purchasing a licence without consent	37(2)	100
11	Person under 12 years of age purchasing a licence	37(3)	100
12	Hunting while under the influence of alcohol or narcotic	*39	500
13	Unlawfully carrying a loaded firearm	40(a)	200
14	Unlawfully discharging a firearm	40(b)	200

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15	Hunting on signed land without consent	41(1)	300
16	Hunting contrary to posted instructions	41(2)	300
17	Non-owner or non-occupant placing signs without consent	41(3)	300
18	Unlawfully interfering with signs	41(4)	300
19	Unlawfully selling hunting rights	*43	500
20	Failing to stop, permit search or supply information	61(2)	400
21	Refusing to supply information, withholding information or providing false information	*64	400

*The animal or bird fee referred to in Column 4 is:

- (a) in the case of each raptor, not
including wild species at risk, moose,
elk, bear, caribou, antelope, white-tailed
deer and mule deer not including
non-trophy white-tailed deer and
non-trophy mule deer 500;
- (b) in the case of each non-trophy
white-tailed deer or non-trophy mule deer 250;
- (c) in the case of each animal or bird
not mentioned in clause (a) or (b)
not including wild species at risk 50

28 Apr 2000 SR 26/2000 s15; 14 Dec 2001 SR
93/2001 s7.

TABLE 13
The Wildlife Regulations, 1981

The provisions set out in Column 3 are the provisions of *The Wildlife Regulations, 1981*, made pursuant to *The Wildlife Act, 1998*, that impose the prohibitions or requirements described in Column 2. Sections 73, 74 and 75 of that Act provide that a contravention of those regulations is an offence. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

<i>Column 1</i> <i>Item Number</i>	<i>Column 2</i> <i>Description of Offence</i>	<i>Column 3</i> <i>Section</i>	<i>Column 4</i> <i>Penalty Sum in Dollars</i>
1	Contravening restriction re wildlife, wildlife habitat or firearms in special areas	5(1)	\$500 plus *animal or bird fee
2	Unauthorized entry into wildlife refuge	5(4)	500
3	Killing, disturbing or molesting protected wildlife or wildlife habitat	6(1)*	500 plus *animal or bird fee
4	Failing to report a killing	6(5)	200
5	Using a restricted method of hunting game without a licence	7(1)	500 plus *animal or bird fee
6	Unlawfully using a bow, arrow or crossbow	7(2)(a)	500 plus *animal or bird fee
7	Using a prohibited method for hunting wildlife without a licence	7(2)(c)	500 plus *animal or bird fee
8	Hunting wildlife in a wildlife management zone during the big game season without a licence	8(1)	200 plus *animal or bird fee
9	Hunting in a prohibited area of a provincial park	9	300
10	Hunting wildlife on Sunday during the game season	10(1)	200 plus *animal or bird fee
11	Hunting at night	11(1)	500 plus *animal or bird fee
12	Hunting near or in a lure crop or bait station	12	400
13	Hunting within 500 metres of an occupied building	13	400
14	Unlawfully using a vehicle or power boat	14	500 plus *animal or bird fee

15	Discharging a firearm along or across a road	16	400
16	Hunting big game with a firearm or projectile of .23 calibre or less	17(1)	200 plus *animal fee
17	Using a prohibited firearm	17(2),(3),(4)	100
18	Digging pit, setting traps, setting out bait for big game, hunting from windmill, damaging property or setting out food or offal for the purpose of attracting wildlife without the consent of the owner	18(1)(a), (b), (c), (d), (e), (f)	300
19	Placing out bear baits unlawfully, unlawful container, exceeding volume or unlawful storing of bait	18.1	300
19.1	Using prohibited bait	18.41	300
19.2	Feeding ungulate during prohibited time	18.42	300
19.3	Unlawfully placing a stand, failing to mark a stand, or failure to remove a stand	18.43(2), (3), (4), (5)	300
20	Destroying sign erected by person baiting big game	18.2	300
21	Hunting at another person's bait without consent or failing to erect sign	18.3(1),(2)	300
22	Placing of bait at prohibited time or failing to remove bear bait, container and sign	18.4(1),(3)	300
23	Using a dog in a restricted manner	19(1)	100
24	Unlawfully hunting big game without a guide	20(1),(2)	500 plus *animal fee
25	Failing to wear the required hunting clothing	21(1)	100
26	Leaving edible game in the field	22*	200 plus *animal or bird fee
27	Destroying evidence of sex of any game	23(1)	200
28	Use of nets or snares without a licence	24(1)	200

29	Interfering with traps or leaving trap or snare set during closed season	24(2)(a),(b)	200
30	Using illegal apparatus to hunt fur animals	24(2)(c),(d), (e),(f),(g),(h),(i)	200
31	Failing to check trap within specified period	24(3)(a),(b),(c)	200
32	Unlawfully shooting beaver or muskrat	25(2)	100 plus *animal fee
33	Failing to report an accidental wildlife killing	26(1)	200 plus *animal or bird fee
34	Hunting game bird in a restricted area	30	200 plus *bird fee
35	Unlawful purchase of licence	31(2)(a), (b)	500
36	Failing to carry game licence while hunting	31(8)	100
37	Contravening condition of hunting licence	31(9)	200
38	Hunting a fur animal without a licence	32	200 plus *animal fee and the fee for any licence that is required
39	Unlawfully purchasing fur licence	33	200
40	Trapping on water without authorization	35(2)	200
41	Hunting without a big game licence or game bird licence	36(1)	200 plus *animal or bird fee and the fee for any licence that is required
42	Failing to carry consent	36(3)	100
43	Outfitter failing to complete licence	36.1(3)(a),(b)	100
44	Unlawful purchase of Saskatchewan Resident Youth Game or Fur Licence	37.2(1)	200
45	Purchasing more than one big game licence	38(1)	200 plus *animal fee
46	Killing more than one big game animal per licence	38(3)	200 plus *animal fee
47	Hunting pheasant without being a Saskatchewan resident	39(1)(a)	200 plus * bird fee
48	Shooting or possessing a hen pheasant	39(1)(b)	200 plus *bird fee

49	Purchasing or using a fur licence unlawfully	40(2)	200
50	Failing to forward a return	41	200
51	Unlawful acquisition of fur animals	43(1)	200 plus *animal fee
52	Failing to properly attach a seal to big game	45(1)	200
53	Failing to keep hide with big game carcass	45(6)	200
54	Leaving a big game hide in the field	45(8)	100
54.1	Possessing a Sharp-tailed Grouse or a Hungarian Partridge without a seal	45(11)*	200 plus bird* fee
54.2	Failure to separate the hide, meat and head seals, failure to notch seal, failure to indicate correct date of the taking or kill on a seal or failure to attach seal	45(13)(a), (b), (c), (d), (e)	200
54.3	Possessing deer head or deer antlers prior to March 31 without seal attached	45(14)	200
55	Possessing a hide without a seal	46(1)*	200 plus 150 for each untagged big game hide
56	Possessing a big game carcass without a seal	46(1.1)*	200 plus 150 for each untagged big game carcass
57	Using a vehicle in a prohibited manner	48(1)*,(2)*,(3)*,(4)*,(5)*,(5.1)*,(5.2)*	200
58	Trading in furs without a licence	50(2)(a)*,(b)*	200
59	Trafficking in wildlife without a licence	50(2)(c)*,(d)*	500 plus *animal or bird fee
60	Doing business as a taxidermist without a licence	50(2)(e)	200
61	Shipping, receiving or accepting wildlife without a licence or permit	52(1)	200
62	Shipping or receiving wildlife without a permit	53(1)	200

62.1	Possessing, transporting or shipping game birds that are packed in a manner that will not permit the number and species to be readily determined	53(3)	200
63	Failing to maintain records of acquired or stored wildlife	54	100
64	Contravening prohibitions re the use of a rifle in a shotgun-archery-muzzle-loader area	61(1), (2)	200 plus *animal or bird fee
65	Applying for a big game computer draw licence in a prohibited manner	62(6)	200

*The animal or bird fee mentioned in Column 4 is:

- | | |
|---|------|
| (a) in the case of each raptor not including wild species at risk, moose, elk, bear, caribou, antelope, white-tailed deer and mule deer not including non-trophy white tailed deer and non-trophy mule deer | 500; |
| (b) in the case of each non-trophy white-tailed deer or non-trophy mule deer | 250; |
| (c) in the case of each animal or bird not mentioned in clause (a) or (b) not including wild species at risk | 50 |

28 Apr 2000 SR 26/2000 s16; 22 Feb 2008 SR 5/2008 s6.

TABLE 14

The Firearm Safety/Hunter Education Regulations

The provisions set out in Column 3 are the provisions of *The Firearm Safety/Hunter Education Regulations*, made pursuant to *The Wildlife Act, 1998*, that impose the prohibitions or requirements described in Column 2. Section 57 of that Act provides that a contravention of those regulations is an offence.

<i>Column 1 Item Number</i>	<i>Column 2 Description of Offence</i>	<i>Column 3 Section</i>	<i>Column 4 Penalty Sum in Dollars</i>
1	Purchase game or fur licence without training	9	\$200

21 Dec 90 cS-63.1 Reg 2; 28 Apr 2000 SR 26/2000 s17; 14 Dec 2001 SR 93/2001 s8.

TABLE 15

The Parks Regulations, 1991

The provisions set out in Column 3 are the provisions of *The Parks Regulations, 1991*, made pursuant to *The Parks Act*, that impose the prohibitions or requirements described in Column 2. Section 34 of *The Parks Act* provides that a contravention of those regulations is an offence. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

<i>Column 1</i> <i>Item Number</i>	<i>Column 2</i> <i>Description of Offence</i>	<i>Column 3</i> <i>Section</i>	<i>Column 4</i> <i>Penalty Sum in Dollars</i>
1	Entering or occupying area of park with vehicle without park-entry permit	4	\$50
2	Failing to display park-entry permit on vehicle	6(1)	50
3	Failing to display park-entry permit on motorcycle	6(2)	50
4	Affixing park-entry permit with adhesive other than that provided	6(3)	50
5	Transferring park-entry permit to another vehicle	6(4)	50
6	Camping on park land without camping permit	12(a)	50
7	Camping on park land in area other than campsite specified in camping permit	12(b)	50
8	Failing to keep or produce camping permit	13(3)	50
9	Failing to vacate campsite on expiration or cancellation of camping permit	14(1)(a)	50
10	Failing to remove all possessions on expiration or cancellation of camping permit	14(1)(b)	50
11	Failing to dispose of wastes on expiration or cancellation of camping permit	14(1)(c)*	75
12	Failing to keep campsite in clean state	14(2)*	75
13	Altering camping permit	14(3)(a)	50

14	Renting, subletting, assigning or otherwise transferring campsite	14(3)(b)	50
15	Operating vehicle in public campsite after 11:00 p.m. without camping permit	14(3)(c)	50
16	Leaving campsite specified in permit unoccupied for more than 48 hours	14(3)(d)(i)	50
17	Occupying more than one campsite with one camping unit	14(3)(d)(ii)	50
18	Occupying campsite with more camping units than specified in permit	14(3)(d)(iii)	50
19	Discharging, discarding or disposing of waste other than in sewage system or receptacle provided by minister	14(3)(c)*	100
20	Marking, placing, removing, defacing or altering traffic sign or device	16(3)	100
21	Failing to comply with directive of no parking sign	16(4)	50
22	Failing to comply with directive of sign regulating pedestrian traffic	16(4)	50
22.1	Having or operating a vehicle other than on designated road or parking area	17(2)*	100
23	Operating all terrain vehicle in area not set aside for that purpose	17(3)*	100
24	Parking of vehicle or trailer in no parking area	18(4)(a)	50
25	Parking of vehicle within three metres of hydrant	18(4)(b)	50
26	Parking of vehicle or trailer in beach area	18(4)(c)	50
27	Obstructing driveway	18(4)(d)(ii)	50
28	Abandoning vehicle for more than 72 hours	18(4)(e)	50

29	Operating bicycle or foot-propelled vehicle in prohibited area	26(a)	50
30	Launching motor boat in area other than designated area	28(1)	75
31	Operating water vessel within 25 metres of swimming area	28(3)(a)	100
32	Operating water vessel within 25 metres of beach area	28(3)(b)	100
33	Operating water vessel within 25 metres of area posted to prohibit water vessels	28(3)(c)	100
34	Operating water vessel in manner that causes disturbance	28(4)(a)	50
35	Docking or mooring water vessel in area other than designated area	28(5)	50
36	Operating or keeping house boat without prior written consent or outside of designated area	29(2)	50
37	Using flotation device within prohibited area	30(1)(a)	50
38	Swimming, bathing or water skiing within 25 metres of docking or boat launching area	30(1)(b)	50
39	Angling within 25 metres of a swimming area	31(2)(a)	50
40	Angling within 25 metres of a beach area	31(2)(b)	50
41	Angling within 25 metres of a prohibited area	31(2)(c)	50
42	Filleting or dressing fish in area other than a designated area	32(3)	50
43	Allowing domestic animal to roam at large	33(2)(a)	50

44	Allowing domestic animal in a swimming area or beach area	33(2)(b)(i)	50
45	Allowing domestic animal in washroom, change house, concession, picnic shelter or other public structure	33(2)(b)(ii)	50
46	Allowing domestic animal in area posted to prohibit animals	33(2)(b)(iii)	50
47	Riding, driving, leading or keeping a horse in area other than designated area	34(1)	50
48	Feeding or harassing wild animal or bird	35(2)*	75
49	Setting fire without prior written consent	36(a)	75
50	Setting fire in a place other than in a provided or approved facility	36(b)	75
51	Setting fire without taking sufficient precautions	37(a)	100
52	Failing to take reasonable steps to keep fire from spreading	37(b)	100
53	Disposing of burning matter in place where it might result in fire	37(c)	100
54	Leaving fire unattended	37(d)	100
55	Leaving glass, bottles, cans, cartons, bags, garbage, paper, dirt, gravel, tree limbs or other refuse in place other than provided place or receptacle	38*	75
56	Failing to comply with posted instructions respecting garbage and ashes	40(1)	75

57	Failing to supply and maintain a sufficient number of garbage containers	40(2)	75
58	Occupying, using or developing park land without disposition or prior written consent	41*	100
59	Failing to comply with terms of disposition or consent	42(6)	100
60	Developing, erecting, altering, demolishing, removing or relocating building or structure on park land without building permit	44*	100
61	Failing to maintain land, building or structure in reasonable state of repair or in clean and satisfactory state	51(1)	100
62	Removing firewood without prior written consent	56(1)	100
63	Possessing any pistol, revolver, rifle, gun, airgun, rocket, torpedo, missile-projector, bow and arrow, slingshot, firecracker or firework while in the park	57(1)(a)	100
64	Discharging any pistol, revolver, rifle, gun, airgun, rocket, torpedo, missile-projector, bow and arrow, slingshot, firecracker or firework without prior written consent	57(1)(b)*	100
65	Using or possessing metal detector in historic park	58	75
66	Taking, damaging or destroying natural vegetation without prior written consent	59(a)*	100
67	Altering natural state of park land without prior written consent	59(b)*	100

68	Placing signs without permission	59(c)	50
69	Using kitchen shelter, service building or pavilion for sleeping	59(d)	50
70	Using public building or structure for use that is not intended	59(f)(i)	50
71	Defacing, destroying or damaging any park property in park	59(h)	75
72	Failing to keep park facilities in clean and satisfactory state	60*	75

12 Jne 92 SR 44/92 s5; 30 Oct 98 SR 82/98 s6;
28 Apr 2000 SR 26/2000 s18.

TABLE 16

Repealed. 12 Jne 92 SR 44/92 s5.

TABLE 17
The Fisheries Act (Saskatchewan), 1994

The provisions set out in Column 3 are the provisions of *The Fisheries Act (Saskatchewan), 1994* that impose the prohibitions or requirements described in Column 2. Section 29 of that Act provides that a contravention of those provisions is an offence. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

<i>Column 1</i> <i>Item Number</i>	<i>Column 2</i> <i>Description of Offence</i>	<i>Column 3</i> <i>Section</i>	<i>Column 4</i> <i>Penalty Sum in Dollars</i>
1	Providing false or misleading information or falsifying a record or return	16*	\$250
2	Failing to answer questions or to provide reasonable assistance	21(1)	200
3	Failing to produce records, fish, fishing gear, equipment or other thing to which the Act applies	21(2)	200
4	Failing to produce licence	21(3)	200
5	Failing to stop or move vehicle as required	21.1(2)	200
6	Failing to convey seized fish, fishing gear, equipment or other thing to which this Act applies as directed by an officer	24(3)	200
7	Resisting, obstructing, hindering, delaying or interfering with an officer in the performance of the officer's duties	25*	200

TABLE 18

The Fisheries Regulations

The provisions set out in Column 3 are the provisions of *The Fisheries Regulations* made pursuant to *The Fisheries Act (Saskatchewan), 1994* that impose the prohibitions or requirements described in Column 2. Section 29 of that Act provides that a contravention of those regulations is an offence. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

<i>Column 1</i> <i>Item</i> <i>Number</i>	<i>Column 2</i> <i>Description of Offence</i>	<i>Column 3</i> <i>Section</i>	<i>Column 4</i> <i>Penalty Sum in Dollars</i>
1	Unlawfully obtaining a licence	9	\$100
2	Failing to comply with terms of a licence	10(2)	150
3	Failing to produce a licence	10(3)	150
4	Angling without a licence	11(1)	100 plus \$25 per fish in possession to a maximum of \$1,000
5	(a) Repealed. 13 Aug 99 SR 62/1999 s2. (b) Angling Lac La Ronge without a Lac La Ronge angling endorsement licence	11(2)(a)	50 plus \$25 per fish in possession to a maximum of \$1,000
6	Failing to carry angling licence	11(4)	50
6.1	Conducting a competitive fishing event without a licence	11.1	250 plus \$5 per entrant in excess of 25 entrants to a maximum of \$1,000
7	Allowing other person to use angling licence	12	100
8	Angling during closed times	13(1)	200 plus \$25 per fish in possession to a maximum of \$1,000
9	(a) Exceeding angling possession limit for fish other than: (i) lake sturgeon; or (ii) large fish of a species with an upper size limit (b) Exceeding angling possession limit for lake sturgeon or large fish of a species with an upper size limit	13(3), (4)	100 plus \$25 for each excess fish in possession to a maximum of \$1,000 100 plus \$100 for each excess fish in possession to a maximum of \$1,000

10	(a) Repealed. 13 Aug 99 SR 62/1999 s2.		
	(b) Failing to record lake trout information on licence	16(1)(a)	100 plus \$50 per lake trout in possession to a maximum of \$1,000
11	(a) Repealed. 13 Aug 99 SR 62/1999 s2.		
	(b) Giving a lake trout to another person	16(1)(b)	100 plus \$50 per lake trout in possession to a maximum of \$1,000
12	(a) Repealed. 13 Aug 99 SR 62/1999 s2.		
	(b) Applying for more than one Lac La Ronge angling endorsement licence in a year	16(2)	100
13	Transporting or possessing angled fish that cannot be identified	17(1)(a)	50
14	Transporting or possessing angled fish that cannot be counted	17(1)(b)	150
15	Receiving or transporting angled fish without identification	17(3)	150
16	Failing to notify an officer	17(4)	150
17	Failing to release fish taken	18	250
18	Possessing or using a live fish for bait, or possessing or using live or dead frogs or salamanders, or any part of them, for bait	19(1), (5)	200
18.1	Collecting leeches, crayfish or invertebrates for bait without authorization	19(3)	150
18.2	Failing to properly mark bait fishing gear	19(4)(a)	150
18.3	Failing to check traps within prescribed time	19(4)(b)	150
19	Angling with more than one line in open waters	20(a)	50 plus \$25 for each excess line to a maximum of \$1,000
20	Angling with more than two lines in ice-covered water	20(b)	50 plus \$25 for each excess line to a maximum of \$1,000

21	Possessing or using a spring-loaded hook	20(c)	50
22	Possessing or using a spring-loaded gaff when angling gaff to a maximum of \$1,000	20(d)	150 plus \$25 for each fish taken by
23	Using a line with more than four hooks attached when angling	20(e)	50
24	Using hooks other than barbless hooks in designated waters	20(f)	50
25	Being more than 25 metres from fishing line	20(g)	50
26	Being in a place where fishing line is not visible	20(h)	50
27	Marketing fish caught by angling	21	250 plus \$25 per fish in possession to a maximum of \$1,000
28	Possessing or using a spear or restricted gaff when angling on ice-covered waters	22	150 plus \$25 per fish taken by spear or gaff to a maximum of \$1,000
29	Placing an unmarked ice fishing shelter	23(1)	100
30	Failing to remove ice fishing shelter by prescribed date or as directed by officer	23(2)	250
31	Spear fishing while neither swimming nor fully immersed	24(1)(a)	150 plus \$25 per fish taken to a maximum of \$1,000
32	Spear fishing with an improper line	24(1)(b)	50
33	Spear fishing without displaying scuba diver's flag	24(1)(c)	50
34	Spear fishing within 100 metres of buoyed swimming area	24(1)(d)	150
35	Releasing fish taken by spear fishing	24(2)	100 plus \$25 per fish released to a maximum of \$1,000
36	Bow fishing with an improper arrow or line	25(a)(i)	50
37	Bow fishing within 100 metres of buoyed swimming area or dock	25(a)(ii)	150

38	Taking fish species other than rough fish by bow fishing	25(b)	150 plus \$25 per fish taken to a maximum of \$1,000
39	Releasing fish taken by bow fishing	25(c)	100 plus \$25 per fish released to a maximum of \$1,000
40	Commercial fishing without a licence	26*	250
41	Failing to carry commercial fishing licence	27(1)	50
42	Failing to display a commercial fishing licence	27(2)	50
43	Failing to list all helpers on licence	27(3)	50
44	Repealed. 22 Sep 2000 SR 73/2000 s2.		
45	Commercial fishing on closed waters	31(b)*	500
46	Exceeding commercial fishing limit	31(c)*	500
47	Commercial fishing with restricted gear	31(d)*	500
48	Allowing use of licence by other persons not listed	31(e)	250
49 to 52	Repealed. 22 Sep 2000 SR 73/2000 s2.		
53	Failing to release incidentally caught fish	33(1)*	250
54	Failing to report incidentally caught fish	33(2)	250
55	Failing to comply with an officer's direction	33(4)	250
56	Failing to chill fresh fish	34(1)	150
57	Failing to identify stored fish	34(2)	150
58	Subsistence fishing without a licence	35(1)	250
59	Failing to carry subsistence fishing licence	35(2)	50
60 to 63	Repealed. 22 Sep 2000 SR 73/2000 s2.		
64	Subsistence fishing at a prohibited time or location	37(1)(c)	250

65	Subsistence fishing for prohibited species	37(1)(d)	250 plus \$25 per prohibited fish in possession to a maximum of \$1,000
66	Exceeding subsistence fishing limit	37(1)(e)	250 plus \$25 per fish in excess of limit to a maximum of \$1,000
67	Subsistence fishing at prohibited location	37(1)(f)	250
68	Subsistence fishing at prohibited time	37(1)(g)	250
69	Subsistence fishing with improper gear	37(1)(h)	250
70	Allowing other person to use subsistence fishing licence	37(1)(i)	250
71	Subsistence and commercial fishing	37(2)	250
72	Marketing fish caught by subsistence fishing	38(1)*	250
73	Illegal disposal of fish taken by subsistence fishing	38(2)	250
74	Storing fish taken by subsistence fishing without authorization	38(3)*	250
75	Bait fishing or selling bait fish, crayfish, leeches or aquatic invertebrates without a licence	39(1), (2)	250
76	Failing to carry bait fishing licence	40(1)	50
77	Failing to display bait fishing licence	40(2)	50
78	Failing to immediately kill and preserve bait fish	41(a)	200
79	Failing to release unauthorized fish unharmed	41(b)	250
80	Failing to properly mark bait fishing gear or containers	41(c)	150
80.1	Failing to check traps within prescribed time	41(d)	150
81	Possessing fish other than bait fish	42(a)	500

82	Bait fishing for or possession of unauthorized fish species	42(b)	250
83	Bait fishing in excess of limit	42(c)*	500
84	Bait fishing at locations not authorized	42(d)	250
85	Bait fishing during prohibited times	42(e)	500
86	Bait fishing with prohibited gear	42(f)*	500
87	Allowing use of bait fishing licence by other persons	42(g)	250
88	Dip net fishing without a licence	43(1)	100
89	Failing to carry dip net fishing licence	43(2)	100
90	Dip net fishing for prohibited species	44(a)	100 plus \$25 per prohibited fish taken to a maximum of \$1,000
91	Exceeding dip net fishing limit	44(b)	100 plus \$25 per excess fish taken to a maximum of \$1,000
92	Dip net fishing in prohibited location	44(c)	100
93	Dip net fishing during prohibited time	44(d)	100
94	Dip net fishing with prohibited gear	44(e)	100
95	Allowing other person to use dip net fishing licence	44(f)	100
96	Aquaculturing fish without an aquaculture licence	45(1)	250
97	Releasing aquacultured fish	47(1)	250
98	Marketing aquacultured fish without a commercial aquaculture licence	48	250
99	Marketing commercially aquacultured fish without a licence or certificate	50(2)	250
100	Operating a fee-for-fishing operation without a commercial aquaculture licence	51(1)	50
101	Falsifying or failing to issue a complete receipt	51(2)	50

102	Marketing live fish for aquaculture purposes without a licence	52(1)	250
103	Failing to issue a complete sales receipt	52(2)	50
104	Cage culture of fish without a licence	53(2)	250
105	Failing to remove and dispose of dead or diseased fish from cage	54(a)	250
106	Failing to report escape of fish	54(b)	250
107	Failing to report disease	55	250
108	Failing to comply with order	57	250
109	Failing to keep record of treatment	58	150
110	Marketing treated fish for human consumption	59(2)*	150
111	Marketing fish illegally	60*	500
112	Marketing prohibited fish	61(2)*	250
113	Marketing undersized walleye or sauger	61(4)*	250
114	Marketing undersized sturgeon	61(5)*	250
115	Marketing fish for human consumption without a fish processing licence	62(1)*	250
116	Buying unprocessed fish	62(3)*	250
117	Operating a processing plant without a fish processing licence	64(1)	250
118	Failing to meet fish processing plant requirements	64(2)	250
119	Processing fish at location other than licensed facility	65	100
120	Peddling fish without a fish pedlar's licence	66(1)	250
121	Peddling fish that is improperly packaged or labelled	67(a)	100
122	Reprocessing or repackaging fish	67(b)	100
123	Marketing unfrozen fish or fish products	67(c)	100
124	Failing to display licence	68(1)(a)	100
125	Falsifying or failing to issue a complete sales slip or invoice	68(1)(b)*	150

126	Failing to keep a copy of an invoice or sales slip	68(1)(c)	150
127	Failing to verify licence	68(2)(a)	150
128	Falsifying or failing to issue a complete purchase record	68(2)(b)	150
129	Failing to obtain manifest	68(2)(c)	100
130	Failing to provide a copy of a purchase record or shipping manifest to an officer	68(2)(d)*	150
131	Failing to keep a copy of a purchase record	68(2)(e)*	250
132	Failing to issue a complete receipt	68(3)(a)	150
133	Failing to keep a copy of a receipt until fish is purchased	68(3)(b)	150
134	Improperly labelling containers or structures storing fish	68(3)(c)*	150
135	Failing to pay royalty	69(1)*	250 plus royalty not paid
136	Failing or refusing to collect and remit royalties	71*	250 plus royalty not collected or remitted
137	Misrepresentation of fish	74*	250
138	Storing, packaging, processing or transporting fish unfit for human consumption	75(1)	250
139	Failing to protect fish from insects, dust, contamination or decomposition	75(2)*	150
140	Failing to transport or market fish in prescribed containers	76(1)	100
141	Failing to wash and disinfect fish container, vessel or vehicle	77	150
142	Failing to chill fresh fish	78	100
143	Failing to meet fish dressing requirements	79	100
144	Transporting fish without a shipping manifest	80(1)*	150
145	Failing to give a copy of a shipping manifest	80(2)	150
146	Failing to return shipping manifest	80(3)	100

147	Operating a plant before a suspension is lifted	81(2)*	500
148	Failing to comply with minister's order	82(2)	50
149	Altering, moving or removing a tag, tagged fish, or tagged fish container	83(2)	250
150	Failing to complete commercial fishing report	84*	250
151	Importing live fish without authorization	88(1)(a)	250
151.1	Transporting live fish without authorization	88(1)(b)	250
152	Disposal of fish offal near swimming area or boat launch	89	50
153	Using a firearm or explosive material to take or kill fish	90(1)(a)	150 plus \$25 per fish in possession to a maximum of \$1,000
154	Using a chemical or electric shocker to take or kill fish	90(1)(b)	150 plus \$25 per fish in possession to a maximum of \$1,000
155	Grappling fish	90(1)(c)	150 plus \$25 per fish in possession to a maximum of \$1,000
156	Fishing by snagging or snaring	90(1)(d)	150 plus \$25 per fish in possession to a maximum of \$1,000
157	Unlawful use of a gaff	90(1)(e)	150 plus \$25 per fish in possession to a maximum of \$1,000
158	Unlawful use of a spear	90(1)(f)	150 plus \$25 per fish in possession to a maximum of \$1,000
159	Unlawful use of a dip net	90(1)(g)	150 plus \$25 per fish in possession to a maximum of \$1,000
160	Unlawful use of a light to attract fish	90(1)(h)	150 plus \$25 per fish in possession to a maximum of \$1,000

161	Unlawful use of a minnow trap or seine	90(1)(i)	150 plus \$25 per fish in possession to a maximum of \$1,000
162	Unlawful use of a trap	90(1)(j)	150 plus \$25 per fish in possession to a maximum of \$1,000
163	Unlawful use of a gill net or set line	90(1)(k)	150 plus \$25 per fish in possession to a maximum of \$1,000
164	Unlawful fishing in stocked waters	90(1)(l)	150 plus \$25 per fish in possession to a maximum of \$1,000
164.1	Fishing with a net of improper mesh size	90(1)(m)*	500
164.2	Using improperly marked nets	90(1)(n)*	100
164.3	Failing to identify nets	90(1)(o)*	200
165	Tagging or marking fish without authorization	92(a)	150
166	Damaging fishery notice	92(b)	250
167	Wasting fish	92(c)	100 plus \$25 per fish wasted to a maximum of \$1,000
168	Counterfeiting, backdating, altering or changing a licence	92(d)*	250
169	Transferring or assigning a licence without authorization	92(e)	100
170	Fishing for or removing fish from government fish holding facility or collection structure without authorization	92(f)	250
171	Removing fish from a holding device without owner's permission	92(g)	250
172	Fishing within 100 metres of a fish holding device without authorization	92(h)	250
173	Failing to check nets within prescribed time	92(i)	300
174	Possessing a net of smaller mesh size than permitted within 500 metres of applicable waters	92(j)	200

TABLE 19

The Outfitter and Guide Regulations, 2004

The provisions set out in Column 3 are the provisions of *The Outfitter and Guide Regulations, 2004*, made pursuant to *The Natural Resources Act*, that impose the prohibitions or requirements described in Column 2. Section 15 of that Act provides that a contravention of those regulations is an offence. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

<i>Column 1</i> <i>Item Number</i>	<i>Column 2</i> <i>Description of Offence</i>	<i>Column 3</i> <i>Section</i>	<i>Column 4</i> <i>Penalty Sum in Dollars</i>
1	Outfitting without a licence	3(1)(a)*	\$500
2	Advertising or promoting an outfitting service without a licence	3(1)(b)*	500
3	Providing a guiding service without an outfitter's licence, or without being employed or retained by a person who holds an outfitter's licence	3(2)(a), (b)	250
4	Unlawfully advertising or promoting the outfitting service of another person	3(3)*	500
5	Exceeding allocation set out in outfitter's licence	5(3)*	500
6	Applying for or holding more than one outfitter's licence	7(3)*	500
7	Failing to display outfitter's licence number or name in visible location on all vehicles and equipment used in connection with the outfitter's business	18(1)(a)	250
8	Failure of an outfitter to ensure that all wildlife and fish taken by a client is identified as belonging to that client	18(1)(b)	250
9	Failing to keep a written record of the names and addresses of all clients	18(1)(c)	400

10	Failing to provide a written record of the number of each species of wildlife and fish taken by clients	18(1)(d)(i)*	400
11	Failing to provide a written record of the location in which wildlife and fish were taken by clients	18(1)(d)(ii)*	400
12	Exceeding the number of clients that may be guided while hunting	18(1)(f)	250
13	Acting as an outfitter in connection with an activity without the proper endorsement for that activity on the outfitter's licence	19(1)(a)*	500
14	Contravening the terms, conditions or restrictions on an outfitter licence	19(1)(b)*	500
15	Failing to provide information required by an officer	19(1)(c)*	400
16	Providing false or misleading information	19(1)(d)*	400
17	Failing to produce an outfitter's licence on request	19(1)(e)	400
18	Exercising a hunting or angling privilege while acting as a guide	19(2)(a)	500
19	Restricting or attempting to restrict access to vacant Crown land or wildlife or fish resources	19(2)(b)*	500
20	Aiding, abetting, counselling or procuring anyone to commit a contravention of an enactment mentioned in Table 2 of the Appendix of <i>The Outfitter and Guide Regulations, 2004</i>	19(2)(c)*	500
21	Failing to report a perceived contravention of an enactment mentioned in Table 2 of the Appendix of <i>The Outfitter and Guide Regulations, 2004</i>	19(2)(d)*	500

TABLE 20
The Fuel Tax Act, 2000

The provisions set out in column 3 are the provisions of *The Fuel Tax Act, 2000* that impose the prohibitions or requirements described in column 2. Section 40 of that Act provides that a contravention of those provisions is an offence. Those provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

<i>Column 1</i> <i>Item Number</i>	<i>Column 2</i> <i>Description of Offence</i>	<i>Column 3</i> <i>Section</i>	<i>Column 4</i> <i>Penalty Sum in Dollars</i>
1	Failure to report and pay a deposit on the importation of taxable fuel	17(2)*	\$250
2	Unauthorized type of dye or improper procedures used for colouring fuel	20(2)*	250
3	Unlawful marking or colouring of fuel	21(1)*	250
4	Selling unmarked diesel fuel as marked diesel fuel	21(2)*	250
5	Tampering with diesel fuel for the purpose of removing or concealing dye	21(3)*	250
6	Unauthorized use of marked diesel fuel	22(1)*	250
7	Unlawful sale of marked diesel fuel for uses which are not prescribed	22(2)*	250
8	Having marked diesel fuel in a motor vehicle that is not used for described purpose or use	22(3)*	250
9	Unlawful placing of marked diesel fuel	23*	250
10	Failing to export fuel on which tax has not been paid	25(1)*	250
11	Failure to provide written proof of details of fuel being transported	38(1)*	250
12	Failure to obtain a special licence or permit	42(1)*	250
13	Failure to display required decals	42(2)*	150

TABLE 21
The Vehicle Equipment Regulations, 1987

The provisions set out in Column 3 are the provisions of *The Vehicle Equipment Regulations, 1987*, made pursuant to *The Vehicle Administration Act*, that impose the prohibitions or requirements described in Column 2. Sections 79 and 80 of that Act provide that a contravention of those regulations is an offence.

<i>Column 1 Item Number</i>	<i>Column 2 Description of Offence</i>	<i>Column 3 Provision</i>	<i>Column 4 Penalty Sum in Dollars where the registered gross vehicle weight is less than 11,000 kg</i>	<i>Column 5 Penalty Sum in Dollars where the registered gross vehicle weight is 11,000 kg or more</i>
1	Having spring shackles longer than those specified by vehicle manufacturer	21(2)(b)	\$ 75	\$100
2	Failing to have brake system that consists of service brake and parking brake	22(1)	100	150
3	Failing to have service and parking brake systems constructed so that failure of one system does not prevent application of the other system	22(2)(b)	100	150
4	Failing to have a brake system with mechanical components that are secure, functional and not misaligned, broken or excessively worn	22(3)	100	100 per defective brake on the vehicle or combination of vehicles plus \$150 for more than 25% defective
5	Failing to have a service brake that applies brakes to all wheels	22(10)(a)	100	100 per defective brake on the vehicle or combination of vehicles plus \$150 for more than 25% defective

6	Failing to have the service brake adjusted so that it applies braking equally on the opposite ends of the axle	22(10)(b)	100	100 per defective brake on the vehicle or combination of vehicles plus \$150 for more than 25% defective
7	Failing to have an air brake system that applies the brakes automatically when the air pressure drops below the prescribed amount	24(8)	100	220
8	Failing to keep steering system of vehicle maintained as required	25(1)(a)	100	150
9	Failing to have lamp securely mounted, meet SAE standards or be visible from at least 200 metres	31	75	75
10	Failing to focus auxiliary headlamps, fog lamps or driving lamps properly	33(1)(a)	75	75
11	Failing to connect auxiliary headlamps, fog lamps or driving lamps so that they are switched off when the low beam is selected	33(1)(b)	75	75
12	Failing to have a fifth wheel plate securely mounted	75(a)	100	100
13	Failing to have fifth wheel with a locking device to prevent separation from the semi-trailer king pin	75(b)	100	100
14	Failing to have exhaust systems securely mounted, properly positioned and releasing exhaust away from the vehicle	17	75	100
15	Failing to have windshield of proper type, that is large enough, clear or not excessively cracked	64	75	100

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16	Failing to have tires of proper type, properly installed and in good condition	71	75	100	
17	Failing to have lubrication between the fifth wheel and semi-trailer	75(c)	100	100	
18	Failing to have steering assembly with manufacturer approved components and mechanisms	86(a)	100	150	
19	Failing to have steering assembly geometry as specified by the manufacturer	86(b)	100	150	
20	Failing to have one or two convex mirrors	131(1)	75	100	
21	Failing to have the mirror located on the right front corner	131(2)(a)	75	100	
22	Failing to have a mirror of the proper type	131(2)(b)	75	100	
23	Failing to have a mirror mounted so the driver has an adequate view of the front and right side of the vehicle	131(2)(c)	75	100	
24	Failing to have two mirrors of the proper type and properly located in the vehicle	131(3)(a)	75	100	
25	Failing to have two mirrors mounted so that the driver has an adequate view of the front and right side of the vehicle	131(3)(b)	75	100	
26	Failing to have a proper brake system for the vehicle	174(1)	100		100 per defective brake on the vehicle or combination of vehicles plus \$150 for more than 25% defective

27	Failing to have a brake system that activates the brakes if there is a break-away from the towing vehicle	174(2)	100	100 per defective brake on the vehicle or combination of vehicles plus \$150 for more than 25% defective
28	Failing to have a brake system that can be activated by the brake pedal of the towing vehicle	174(3)	100	100 per defective brake on the vehicle or combination of vehicles plus \$150 for more than 25% defective
29	Failing to have the service brake properly adjusted	174(4)	100	100 per defective brake on the vehicle or combination of vehicles plus \$150 for more than 25% defective
30	Failing to keep brake system properly maintained	174(5)	100	100 per defective brake on the vehicle or combination of vehicles plus \$150 for more than 25% defective
31	Failing to have an air brake system with a secondary system	178(2)	100	100
32	Failing to have lamps that are securely mounted, meet SAE standards and are visible	179	75	100
33	Failing to have the proper tires in good condition on Type T vehicles	196	75	100
34	Failing to have a secondary coupling device that prevents disconnection from the towing vehicle	199(1)(a)	75	100
35	Failing to have a brake system	228(1)	100	100

36	Failing to have a brake system where application applies to front and rear wheels	228(2)	100	100
37	If the vehicle has two brake systems, failing to have each apply properly	228(3)	100	100
38	Failing to have a brake system that permits adequate stopping	228(4)	100	100
39	Failing to have the proper tires on a Type M vehicle	254	75	100

14 Jly 2000 SR 51/2000 s10; 25 Oct 2002 SR 94/2002 s6.

TABLE 22

The Tobacco Control Act

The provisions set out in Column 3 are the provisions of *The Tobacco Control Act* that impose the prohibitions or requirements described in Column 2. The provisions of that Act listed in Column 4 provide that contraventions of the corresponding provisions in Column 3 are offences. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

<i>Column 1 Item Number</i>	<i>Column 2 Description of Offence</i>	<i>Column 3 Section</i>	<i>Column 4 Offence</i>	<i>Column 5 Penalty Sum in Dollars</i>
1	Furnishing tobacco or a tobacco-related product to a young person	4(1)*	20	\$ 250
2	Selling cigarettes in packages of less than 20	5(1)*	20	250
3	Selling cigarillos in packages of less than five	5(2)	20	250
4	Selling tobacco or tobacco-related products in packages that do not contain prescribed quantities or prescribed numbers of units	5(3)	20	250
5	Advertising or promoting tobacco or tobacco-related products in a place in which the products are sold and to which young persons are permitted access	6(1)*	20	250

6	Advertising or promoting tobacco or tobacco-related products in windows of any place where the tobacco or tobacco-related products are sold	6(2)	20	150
7	Displaying tobacco or tobacco-related products that are visible to the public in business premises where young persons are permitted access	6(3)*	20	250
8	Displaying unauthorized signs where tobacco or tobacco-related products are sold	7(1)	20	150
9	Failing to display sign respecting legal age to purchase tobacco or tobacco-related products or health warnings respecting tobacco	7(2)	20	150
10	Selling tobacco or tobacco-related products in prohibited place	8*	20	250
11	Permitting a vending machine to be located in prohibited place	9(2)(a)*	20	250
12	Placing a vending machine in prohibited place	9(2)(b)*	20	250
13	Smoking or holding lighted tobacco in an enclosed public place	11(2)*	25	150
14	Failing to ensure that no things designed to facilitate smoking are provided in enclosed public places	11.1(1)(a)*	25(2)	500
15	Failing to ensure that signs are posted as required	11.1(1)(b)*	25(2)	500

16	Failing to request that a person immediately stop smoking or holding lighted tobacco and to immediately extinguish the lighted tobacco, to inform the person that he or she was committing an offence or to refuse to provide the person with a good or service customarily provided until the person ceases smoking or holding lighted tobacco	11.1(3)*	25(2)	500
17	Failing to post signs respecting the prohibition against smoking as required	13	25(2)	500
18	Removing, covering up, mutilating, defacing or altering a sign required to be displayed or posted	19	25(4)	150

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Table 23

The Environmental Management and Protection Act, 2002

The provisions set out in Column 3 are the provisions of *The Environmental Management and Protection Act, 2002* that impose the prohibitions or requirements described in Column 2. Section 74 of that Act provides that a contravention of those provisions is an offence. Those provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

<i>Column 1</i> <i>Item Number</i>	<i>Column 2</i> <i>Description of Offence</i>	<i>Column 3</i> <i>Section</i>	<i>Column 4</i> <i>Penalty Sum in Dollars</i>
1	Failing to report the discharge of a substance	5*	\$1000
2	Failing to obtain a permit for waterworks or sewage works	21*	500
3	Failing to keep a public highway open for safe and convenient travel where that highway is crossed by a waterwork or sewage work	29(a)	250

4	Operating or releasing water into waterworks or sewage works that extend into or cross a public highway before constructing a satisfactory structure for required passage over that waterwork or sewage work	29(b)	250
5	Failing to obtain a permit for the discharge of any substance in surface water or along banks or shores of surface water for the purpose of poisoning, killing or otherwise controlling weeds, algae or other organisms	35(1)(b)*	1000
6	Failing to obtain a permit to construct, extend, alter, install or operate any industrial effluent works	35(1)(c)*	1000
7	Altering, or causing to be altered, a bed, bank or boundary of a watercourse or water body without authorization	36(1)(a)*	750
8	Removing, displacing or adding sand, gravel or other material from, in or to the bed, bank or boundary of a watercourse or water body without authorization	36(1)(b)*	750
9	Removing vegetation from the bed, bank or boundary of a watercourse or water body without authorization	36(1)(c)*	750
10	Manufacturing, offering for sale, selling, consuming or using any product containing halocarbon as a propellant	38*	750
11	Manufacturing, offering for sale or selling any packaging, wrapping or container that contains halocarbon or is manufactured using halocarbon	39*	750

12	Using, discharging or purchasing halocarbon or using halocarbon to manufacture a prescribed product	40(1)*	750
13	Failing to comply with a control order	45(4)*	500
14	Failing to comply with a term or condition of a permit	59*	500
15	Removing, altering or interfering with any item or thing seized, removed or detained	73(c)*	500

2 Jan 2004 SR 127/2003 s7.

Table 24

The Environmental Spill Control Regulations

The provisions set out in Column 3 are the provisions of *The Environmental Spill Control Regulations*, made pursuant to *The Department of the Environment Act*, that impose the prohibitions or requirements described in Column 2. Section 74 of *The Environmental Management and Protection Act, 2002* provides that a contravention of those regulations is an offence. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

<i>Column 1</i> <i>Item Number</i>	<i>Column 2</i> <i>Description of Offence</i>	<i>Column 3</i> <i>Section</i>	<i>Column 4</i> <i>Penalty Sum in Dollars</i>
1	Failing to provide written report with the required information	7(1)	\$250
2	Failing to obtain the prior consent of the minister to dispose of a spilled pollutant or any substance that may have been affected by a spill	9*	250
3	Failing to comply with a term or condition of a consent	9(3)	250

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Table 25

The Hazardous Substances and Waste Dangerous Goods Regulations

The provisions set out in Column 3 are the provisions of *The Hazardous Substances and Waste Dangerous Goods Regulations*, made pursuant to *The Environmental Management and Protection Act*, that impose the prohibitions or requirements described in Column 2. Section 74 of *The Environmental Management and Protection Act, 2002* provides that a contravention of those regulations is an offence. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

<i>Column 1 Item Number</i>	<i>Column 2 Description of Offence</i>	<i>Column 3 Section</i>	<i>Column 4 Penalty Sum in Dollars</i>
1	Failing to post the approval to operate	9(4)	\$250
2	Transferring or causing to be transferred any hazardous substance or waste dangerous good to a facility not approved by the minister or registered with the director	9(5)*	1000
3	Failing to notify the minister prior to altering a storage facility	9(6)	500
4	Constructing, installing, altering or expanding a storage facility, or causing the construction, installation, alteration or expansion of a storage facility without prior approval	10(1)*	500
5	Failing to comply with any term or condition imposed in an approval	11(3)*	500
6	Failing to notify the director of the assumption or assignment of the construction or operation of a storage facility	12(3)	250
7	Failing to maintain any required document	13(1)(a)	250
8	Failing to maintain a copy of a list, and inventory records, of hazardous substances and waste dangerous goods stored at a facility	13(1)(b)	250

9	Failing to report an unaccountable discrepancy in inventory or leakage of a hazardous substance or waste dangerous good	13(1)(c)	250
10	Failing to maintain inspection or maintenance records for the leak detection and containment systems	13(1)(d)	250
11	Failing to maintain a copy of the facility emergency response contingency plans	13(1)(e)	250
12	Failing to maintain records for at least two years	13(1)(f)	250
13	Failing to make records available to the minister or any person designated by the minister	13(1)(f)	250
14	Failing to provide the local fire department with a list, and inventory records, for all hazardous substances and waste dangerous goods	13(1)(g)	250
15	Failing to provide the local fire department and emergency measures organization with a copy of the emergency response contingency plans	13(1)(h)	250
16	Failing to have independent party check release detection monitoring well	13 (1.2)(a)*	1000
17	Failing to conduct product inventory measurements and reconciliation calculations on an underground storage tank that contains petroleum products	13(2)(a)	250
18	Failing to measure or record the level of any water at the bottom of an underground storage tank that contains petroleum products	13(2)(b)	250

19	Failing to maintain or retain inventory and reconciliation records for an underground storage tank that contains petroleum products	13(2)(c)*	500
20	Failing to perform cathodic protection voltage measurements on an underground storage tank that contains petroleum products	13(2)(d)	250
21	Failing to retain cathodic protection voltage measurement records for an underground storage tank that contains petroleum products	13(2)(e)*	250
22	Failing to conduct product inventory measurements and reconciliation calculations on an above-ground storage tank that contains petroleum products at least weekly	13(3)(a)	250
23	Failing to measure or record at least monthly the level of any water at the bottom of an above-ground storage tank that contains petroleum products	13(3)(b)	250
24	Failing to maintain or retain inventory and reconciliation records for an above-ground storage tank that contains petroleum products	13(3)(c)	250
25	Failing to protect an above-ground storage tank with rust-resistant material	14(c)*	250
26	Failing to protect an above-ground storage tank, piping or equipment in contact with the ground from corrosion	14(d)*	250

27	Failing to equip an above-ground storage tank with a high level alarm or overfill protection system	14(e)*	250
28	Failing to properly label above-ground storage tanks	14(g)	250
29	Failing to design, construct or maintain an impermeable containment system around an above-ground storage tank	14(h)*	250
30	Failing to equip the above-ground storage tank with proper transfer spill protection	14(i)*	250
31	Failing to protect an underground storage tank from corrosion	15(1)(c)*	250
32	Failing to equip an underground storage tank with release detection, transfer spill prevention and over-fill protection systems	15(1)(d)*	250
33	Storing a hazardous substance or waste dangerous good in a steel underground storage tank that is 25 years or older	15(1)(e)*	500
34	Failing to test an underground storage tank on installation, repair, service or immediately prior to use	15(1)(f)*	500
35	Returning an underground storage tank to service that has not passed a leak test	15(1)(g)*	500
36	Storing a hazardous substance or waste dangerous good in a steel underground storage tank that is of an unknown age	15(1)(h)*	500

37	Failing to report the results of tests of an underground storage tank within 30 days	15(2)(b)*	250
38	Failing to construct or maintain an impermeable area around containers or stockpiles that contain hazardous substances or waste dangerous goods	16(1)(a)*	500
39	Failing to secure hazardous substances and waste dangerous goods in a storage area with a fence or other enclosure	16(1)(b)	500
40	Failing to post a sign respecting hazardous substances and waste dangerous goods	16(1)(b)	250
41	Failing to properly mark or label containers or stockpiles that contain a hazardous substance or waste dangerous good	16(1)(c)	250
42	Storing a hazardous substance or waste dangerous good near a human residence or place used for rearing or keeping animals	16(1)(f)*	750
43	Storing hazardous substances or waste dangerous goods over the set weight limit in a stockpile or container		

	outside a building that is less than 500 metres from a facility	16(3)*	750
44	Storing a hazardous substance or waste dangerous good in a container that is buried or partially buried beneath the ground	16(7)*	750
45	Failing to obtain prior approval to remove, abandon, dispose or permanently close a storage facility	17(1)*	500
46	Failing to submit a decommissioning application 30 days prior to removing, abandoning, disposing or permanently closing a storage facility	17(2)	250
47	Failing to decommission, decontaminate or reclaim the affected area or initiate monitoring and management of the contamination within 12 months after receiving approval to decommission	17(4)*	250
48	Failing to comply with any term of an approval	17(6)	500
49	Decommissioning, removing, abandoning, disposing or permanently closing an underground storage tank without the services of a qualified person or under supervision by person designated by the minister	17(7)*	250

Table 26

The Mineral Industry Environmental Protection Regulations, 1996

The provisions set out in Column 3 are the provisions of *The Mineral Industry Environmental Protection Regulations, 1996*, made pursuant to *The Environmental Management and Protection Act*, that impose the prohibitions or requirements described in Column 2. Section 74 of *The Environmental Management and Protection Act, 2002* provides that a contravention of those regulations is an offence. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

<i>Column 1 Item Number</i>	<i>Column 2 Description of Offence</i>	<i>Column 3 Section</i>	<i>Column 4 Penalty Sum in Dollars</i>
1	Ceasing to operate a pollutant control facility for more than 180 days without approval	10*	\$500
2	Failing to review the decommissioning and reclamation plan or the assurance fund and forward the results to the minister	16*	500
3	Failing to advise the minister of the intention to close a pollution control facility, mine or mill at least 60 days before commencing the closing	18(a)*	250
4	Failing to implement decommissioning and reclamation plan within the approved time frame	18(b)	500
5	Failing to comply with any term imposed on an approval	27*	500

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Table 27

The Municipal Refuse Management Regulations

The provisions set out in Column 3 are the provisions of *The Municipal Refuse Management Regulations*, made pursuant to *The Environmental Management and Protection Act*, that impose the prohibitions or requirements described in Column 2. Section 74 of *The Environmental Management and Protection Act, 2002* provides that a contravention of those regulations is an offence. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

<i>Column 1</i> <i>Item Number</i>	<i>Column 2</i> <i>Description of Offence</i>	<i>Column 3</i> <i>Section</i>	<i>Column 4</i> <i>Penalty Sum in Dollars</i>
1	Municipality failing to provide a scavenging system	3(1)(a)	\$500
2	Municipality failing to provide a waste disposal ground	3(1)(b)	1000
3	Rural municipality or a northern settlement failing to provide a scavenging system	3(2)(a)	500
4	Rural municipality or a northern settlement failing to provide a waste disposal ground	3(2)(b)	1000
5	Operating or establishing a waste disposal ground without a permit	5*	500
6	Failing to dispose of refuse by spreading, compacting and covering with soil, compacted material and a non-putrescible material	7(2)*	500
7	Failing to cover and compact at least three times per week in a sanitary landfill	7(3)*	500
8	Failing to cover and compact as frequently as required by a permit in a modified landfill	7(4)*	500
9	Failing to comply with a term or condition of a permit	7(6)*	500
10	Burning refuse without a permit	9(1), (2)	1000
11	Failing to comply with a condition of a permit	9(3)	500

12	Disposing of prohibited material at a waste disposal ground	10(1)	500
13	Failing to comply with terms or conditions specified by the minister	10(3)	500
14	Establishing, constructing or operating a transfer station without prior approval	11	500
15	Closing a waste disposal ground without prior approval	13(1)*	250
16	Failing to comply with a term or condition specified by the minister	13(4)(b)	500
17	Transporting or disposing of liquid domestic sewage without a permit	14(1)	500
18	Failing to comply with a term or condition of a permit	14(5)	500

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TABLE 28
The Halocarbon Control Regulations

The provisions set out in Column 3 are the provisions of *The Halocarbon Control Regulations*, made pursuant to *The Environmental Management and Protection Act, 2002*, that impose the prohibitions or requirements described in Column 2. Section 74 of *The Environmental Management and Protection Act, 2002* provides that a contravention of those regulations is an offence. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

<i>Column 1 Item Number</i>	<i>Column 2 Description of Offence</i>	<i>Column 3 Provision</i>	<i>Column 4 Penalty Sum in Dollars</i>
1	Failing to test for leaks on equipment that contains or may contain a halocarbon and repairing any detected leaks before recharging the equipment with a halocarbon	6(3)(a)*	\$500
2	Failing to use halocarbon fittings when required to do so pursuant to the regulations	6(3)(b)*	500

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3	Using halocarbon fittings when not required to do so pursuant to the regulations	6(3)(c)*	500
4	Failure to collect, store, recycle, destroy or dispose of halocarbon in accordance with the regulations	6(3)(d)*	500
5	Offering for sale, selling or transferring a halocarbon without being certified	8*	500
6	Manufacturing, offering for sale, selling or using a container for halocarbons that is not a refillable, pressurized container weighing at least 10 kilograms and that is designed to contain halocarbons	9*	500
7	Failing to ensure that halocarbon is removed by a certified person in accordance with the regulations before dismantling or discarding that equipment	10(a)*,(b)*,(c)*	1,000
8	Failing to maintain records in the required manner	12(2)*	250
9	Selling new air conditioning, refrigeration or fire extinguishing equipment, or a new heat pump, that uses a halocarbon without the required label	13*	250
10	Storing or transporting a halocarbon without the required warning label	14*	250
11	Failing to accept and store halocarbon	15(2)*	250
12	Failing to prepare and retain a plan for accepting halocarbons returned for recycling, conversion or destruction or to participate in a stewardship program	15(4)(a)*,(b)*	250

13	Charging or recharging, or permitting the charging or recharging, of equipment with a halocarbon listed in Class 1 of the Appendix to the regulations after the designated dates set out in the regulations	16(2)*, (3)*	500
14	Charging or recharging, or permitting the charging or recharging, of a chiller with a halocarbon listed in Class 1 of the Appendix to the regulations if the chiller has undergone any of the procedures or repairs set out in the regulations	16(5)*	500
15	Charging or recharging, or permitting the charging or recharging, of fire extinguishing equipment with a listed halocarbon more than once	16(8)*	500
16	Failing to replace fire extinguishing equipment charged or recharged with a halocarbon with equipment that does not require a listed halocarbon or to recharge that equipment with a substance that is not a listed halocarbon within the required time	16(8)*	500
17	Failure of certified person to ensure that equipment that contains a halocarbon and that is undergoing installation, maintenance, servicing or repair by or under the direction of that person complies with section 16 of the regulations	16(11)*	500

Table 29

The PCB Waste Storage Regulations

The provisions set out in Column 3 are the provisions of *The PCB Waste Storage Regulations*, made pursuant to *The Environmental Management and Protection Act*, that impose the prohibitions or requirements described in Column 2. Section 74 of *The Environmental Management and Protection Act, 2002* provides that a contravention of those regulations is an offence. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

<i>Column 1</i> <i>Item Number</i>	<i>Column 2</i> <i>Description of Offence</i>	<i>Column 3</i> <i>Section</i>	<i>Column 4</i> <i>Penalty Sum in Dollars</i>
1	Storing PCB waste at a storage site that does not meet the requirements of the regulations	4*	\$1000
2	Failing to know or understand current PCB waste management procedures, the use of personnel protection equipment or clean-up techniques	6(a)	250
3	Failing to inspect a storage site monthly or to effect repairs	6(b)	250
4	Failing to repair or replace any leaking drum, container or equipment immediately	6(c)(i)	250
5	Failing to clean up a contaminated area immediately	6(c)(ii)	250
6	Failing to maintain or make available books or records	7	250
7	Failing to submit books or records to the minister as required	8	250
8	Storing PCB waste longer than six months without approval	9(1)	500

2 Jan 2004 SR 127/2003 s7.

Table 30

The Scrap Tire Management Regulations

The provisions set out in Column 3 are the provisions of *The Scrap Tire Management Regulations*, made pursuant to *The Environmental Management and Protection Act*, that impose the prohibitions or requirements described in Column 2. Section 74 of *The Environmental Management and Protection Act, 2002* provides that a contravention of those regulations is an offence. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

<i>Column 1</i> <i>Item Number</i>	<i>Column 2</i> <i>Description of Offence</i>	<i>Column 3</i> <i>Section</i>	<i>Column 4</i> <i>Penalty Sum in Dollars</i>
1	Selling, distributing, offering for sale or supplying tires without operating a product management program approved by the minister or entering into an agreement with a person who operates an approved product management program	4*	\$1000
2	Making changes to a product management program without informing the minister of the changes and receiving the written approval of the minister	8	250

2 Jan 2004 SR 127/2003 s7.

Table 31

The Used Oil Collection Regulations

The provisions set out in Column 3 are the provisions of *The Used Oil Collection Regulations*, made pursuant to *The Environmental Management and Protection Act*, that impose the prohibitions or requirements described in Column 2. Section 74 of *The Environmental Management and Protection Act, 2002* provides that a contravention of those regulations is an offence. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

<i>Column 1</i> <i>Item Number</i>	<i>Column 2</i> <i>Description of Offence</i>	<i>Column 3</i> <i>Section</i>	<i>Column 4</i> <i>Penalty Sum in Dollars</i>
1	Selling, distributing, offering for sale or supplying oil or oil filters without operating a product management program approved by the minister or entering into an agreement with a person who operates an approved product management program	3*	\$1000
2	Disposing of or discharging used oil, used oil filters or containers in an unauthorized manner	19*	1000

2 Jan 2004 SR 127/2003 s7.

Table 32

The Water Regulations, 2002

The provisions set out in Column 3 are the provisions of *The Water Regulations, 2002*, made pursuant to *The Environmental Management and Protection Act, 2002*, that impose the prohibitions or requirements described in Column 2. Section 74 of that Act provides that a contravention of those regulations is an offence. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

<i>Column 1</i> <i>Item Number</i>	<i>Column 2</i> <i>Description of Offence</i>	<i>Column 3</i> <i>Section</i>	<i>Column 4</i> <i>Penalty Sum in Dollars</i>
1	Failing to comply with a term or condition of a permit	9(4)(a)*	\$1500
2	Failing to ensure that an employee, helper or agent complies with any term or condition of a permit	9(4)(b)*	1500
3	Failing to notify minister on completion of the construction, extension or alteration of industrial effluent works	10(a)	500
4	Failing to supply the minister with plans showing the works as actually constructed, extended or altered	10(b)	500
5	Failing to comply with a minister's order to repair, restore or remediate the environment	11(12)*	1000
6	Permittee failing to comply with the regulations	12(2)(a)*	500
7	Permittee failing to ensure that sewage works or industrial effluent works conform with the regulations	12(2)(b)*	500
8	Causing a sanitary sewer and storm sewer to be improperly interconnected	14*	500
9	Failing to equip a pumping station with mechanically forced air ventilation	15(1)	250

10	Producing effluent that does not meet the requirements	16(2)*	500
11	Failing to have a secondary treatment process that produces effluent that meets the requirements	16(3)(a)*	500
12	Failing to report any known or anticipated upset condition, bypass condition or event at or affecting a sewage works or industrial effluent works	17(2)*	500
13	Failing to report the failure of disinfection equipment	18(2)(a)	500
14	Failing to report when disinfection level was not achieved or not anticipated to be achieved	18(2)(b)*	500
15	Failing to conduct a test or collect information as required in a permit	19(a)*	500
16	Failing to maintain records as required	19(b)*	250
17	Failing to make available operational records, logs, test results or information collected with respect to the tests as required	19(c)*	500
18	Failing to provide an alternative source of water to consumers that is suitable and safe	22(2)(b)*	1000
19	Failing to disinfect ground water in accordance with the regulations	22(2)(d)(i)	1000
20	Failing to meet bacteriological requirements for water in accordance with the regulations	22(2)(d)(ii)	1000
21	Improperly installing a water pipe in a trench with a sewer pipe	26(1)(a)	500

22	Improperly installing a sewer pipe in a trench with a water pipe	26(1)(b)	500
23	Failing to ensure a water pipe is cleaned, disinfected and pressure tested prior to use	26(4)*	1000
24	Failing to ensure that a water storage reservoir has a watertight cover	27(2)(a)	250
25	Failing to ensure a manhole is at least 150 millimetres above the surrounding grade	27(3)	250
26	Failing to ensure the grade surrounding a manhole is sloped away from the reservoir	27(3)	250
27	Failing to ensure a manhole is equipped with a tight-fitting cover designed to prevent entry of water	27(4)(a)	250
28	Failing to ensure a manhole is locked	27(4)(b)*	250
29	Failing to ensure a pipe is constructed and maintained to prevent contaminants from entering a water storage reservoir	27(5)*	250
30	Failing to ensure that an opening or pipe used to ventilate a reservoir is designed to prevent the entry of birds, rodents, rain water or foreign matter	27(6)(a)*	250
31	Failing to ensure that an opening or pipe used to ventilate a reservoir is screened	27(6)(b)*	250

32	Failing to ensure a treatment facility or pump house has proper drainage	28(a)	500
33	Failing to ensure that a water treatment facility or pump house is equipped with a meter that records the volume of water passing through the water treatment facility or pump house	28(d)	500
34	Failing to ensure a chemical feeder in a water treatment facility or pump house is equipped with a device that is capable of adjusting the rate of chemical applied	28(e)	500
35	Failing to comply with drinking water guidelines	29(4)*	1000
36	Using an unauthorized chemical to treat water intended or used for human consumptive use or hygienic use	30(3)	1000
37	Operating a distribution system, or portion of a distribution system, that is new, altered, extended or repaired prior to disinfecting the system	30(4)*	1000
38	Failing to continuously disinfect by chlorination, or other approved means, water used for human consumption	30(5)*	1000
39	Failing to maintain a free chlorine residual of not less than 0.1 milligrams per litre in the water entering a distribution system	30(6)(a)	1000

40	Failing to maintain a total chlorine residual of not less than 0.5 milligrams per litre or a free chlorine residual of not less than 0.1 milligrams per litre in the water throughout a distribution system	30(6)(b)	1000
41	Failing to ensure that a new or altered waterworks meets the standards set out in the regulations	31(2)*	500
42	Failing to maintain the coliform levels set out in the regulations throughout the distribution system	32(1)(a)	1000
43	Failing to maintain turbidity, protozoan or viral standards in the case of a surface water treatment plant employing chemically assisted filtration	33(2)(a)*	1000
44	Failing to maintain turbidity, protozoan or viral standards in the case of a surface water treatment plant employing membrane filtration	33(2)(b)*	1000
45	Failing to maintain turbidity, protozoan or viral standards in the case of slow sand filtration or diatomaceous earth filtration	33(2)(c)*	1000
46	Failing to maintain turbidity, protozoan or viral standards in the case of any surface water filtration technology not mentioned in clauses 33(2)(a), (b) or (c) of <i>The Water Regulations, 2002</i>	33(2)(d)*	1000
47	Failing to maintain drinking water to the required standards	34(1)*	1000

48	Failing to ensure an independent engineering assessment is conducted every five years respecting waterworks	35(1)*	1000
49	Failing to report the findings of an independent engineering assessment to minister within 90 days after the completion of the assessment	35(5)*	1000
50	Failing to ensure each owner of a service connection for hygienic use water is notified twice each year of restrictions on water use	36(a)*	250
51	Failing to ensure each owner of a service connection for hygienic use water is supplied with self-adhesive labels once every year	36(b)*	250
52	Failing to ensure publicly accessible water sources are posted with a notice that the water is not safe for human consumption	36(c)	250
53	Failing to ensure the minister is advised at least once each year of all measures taken to advise users that the water is not safe for human consumption	36(d)*	250
54	Failing to report any known or anticipated upset condition, bypass condition or events at or affecting a waterworks that could adversely affect the quality of water	37(1)*	500
55	Failing to report the failure of disinfection equipment	37(2)(a)*	750

56	Failing to report when required disinfection level was not achieved or not anticipated to be achieved	37(2)(b)*	750
57	Failing to ensure water samples are taken as specified in a permit or by an order	39(1)(a)	500
58	Failing to submit water samples to an accredited laboratory	39(1)(b)	500
59	Failing to conduct required additional testing	39(4)*	500
60	Failing to report the results of a water analysis to a permittee or the minister within seven days	39(7)*	500
61	Failing to notify the minister of the presence of total coliforms, fecal coliforms, <i>Escherichia coli</i> or 200 or more organisms per 100 millilitres as an overgrowth of background bacteria	39(8)(a)*	1000
62	Failing to send a written copy of the test result to the permittee or to the minister within 72 hours when the results indicate the presence of total coliforms, fecal coliforms, <i>Escherichia coli</i> or 200 or more organisms per 100 millilitres as an overgrowth of background bacteria	39(8)(b)*	1000
63	Failing to notify the minister of the measures taken	39(9)(a)*	1000
64	Failing to notify consumers served by the waterworks of the measures taken	39(9)(b)*	1000

65	Failing to take any other action in relation to the results of testing and quality of water that the minister has directed	39(9)(c)*	1000
66	Failing to ensure water samples are analysed for bacteria with respect to a new waterwork or one that has been altered, extended or repaired	40*	500
67	Failing to submit samples of water for fluoride analysis	41(1)	500
68	Failing to maintain operational records or logs of information in accordance with the regulations	42(1)*	500
69	Failing to record or maintain operational records or logs as required	42(2)	500
70	Failing to provide consumers with annual notice of water quality comparison and compliance	44(1)	500
71	Municipality or permittee failing to have a certified operator	63	500
72	Failing to obtain yearly credit hour requirements	68*	500.

2 Jan 2004 SR 127/2003 s7; 10 Sept 2004 SR 82/2004 s2.

TABLE 33
The Auctioneers Act

The provisions set out in Column 3 are the provisions of *The Auctioneers Act* that impose the prohibitions or requirements described in Column 2. Section 23 of that Act provides that a contravention of those provisions is an offence. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

<i>Column 1 Item Number</i>	<i>Column 2 Description of Offence</i>	<i>Column 3 Provision</i>	<i>Column 4 Penalty Sum in Dollars</i>
1	Carrying on the business of an auction sales company without licence	3(1)(a)*	\$250 for individuals; \$500 for corporations
2	Carrying on the business of an auctioneer without licence	3(1)(b)*	250
3	Holding oneself to be an auction sales company without having a licence	7(1)*	250 for individuals; 500 for corporations
4	Engaging, employing, appointing, authorizing or permitting any person, without a licence, to do any of the things with respect to which a licence is required	7(2)	250 for individuals; 500 for corporations
5	Not complying with the terms, conditions and restrictions to which the licence is subject	11(3)	250 for individuals; 500 for corporations
6	Failing to provide information as requested	12	250 for individuals; 500 for corporations
7	Putting an advertisement in print without the name of the auction company and the provincial licence number	22	250 for individuals; 500 for corporations

TABLE 34
The Cemeteries Act, 1999

The provisions set out in Column 3 are the provisions of *The Cemeteries Act, 1999*, that impose the prohibitions or requirements described in Column 2. Section 64 of that Act provides that a contravention of those provisions is an offence. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

<i>Column 1 Item Number</i>	<i>Column 2 Description of Offence</i>	<i>Column 3 Provision</i>	<i>Column 4 Penalty Sum in Dollars</i>
1	Failing to provide notice of changes	19(1)	\$100
2	Failing to deliver a financial statement to the registrar within 60 days after the end of the owner's fiscal year	20(1)	350
3	Offering a prepaid cemetery contract for sale if not an owner, salesperson or person prescribed in the regulations	31(1)*	300
4	Failing to maintain a cemetery, including lots, structures and memorials, in a manner that ensures the safety of the public and is compatible with community standards	53(1)	200
5	Soliciting, offering for sale or selling cemetery services or supplies by telephone between 9:00 p.m. and 9:00 a.m.	59(1)(a)	200
6	Representing that specified goods or services are required by law or by the bylaws of a cemetery when they are not	59(1)(b)	200
7	Soliciting in any manner a resident of a hospital, residential-service facility, special-care home or personal-care home without having received a specific request from that resident to do so	59(1)(c)	200

8	Soliciting in any manner that may harass or appear to harass an individual	59(1)(d)	200
9	Creating a nuisance in a cemetery or destroying, mutilating, defacing, injuring or, without the authority of the owner, removing any building, structure, memorial, plant, road, walk or other enhancement from the cemetery	62(2)	250

31 Dec 2004 SR 130/2004 s7.

TABLE 35
The Charitable Fund-raising Businesses Act

The provisions set out in Column 3 are the provisions of *The Charitable Fund-raising Businesses Act* that impose the prohibitions or requirements described in Column 2. Section 46 of that Act provides that a contravention of those provisions is an offence. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

<i>Column 1 Item Number</i>	<i>Column 2 Description of Offence</i>	<i>Column 3 Provision</i>	<i>Column 4 Penalty Sum in Dollars</i>
1	Acting as a fund-raising business without holding a licence	5*	\$500
2	Commencing a campaign of solicitation without providing the registrar with the prescribed information within the prescribed period	18	500
3	Failing to provide identification card to each representative who makes a door-to-door solicitation	20(1)	500
4	Making a door-to-door solicitation without displaying in the prescribed manner the identification card provided by the licensee	20(3)	250
5	Making a false statement or material misrepresentation in a solicitation	45(4)*	250
6	Failing to comply with the terms and conditions of a licence	46(2)*	500

31 Dec 2004 SR 130/2004 s7.

TABLE 36
The Collection Agents Act

The provisions set out in Column 3 are the provisions of *The Collection Agents Act* that impose the prohibitions or requirements described in Column 2. Section 34 of that Act provides that a contravention of those provisions is an offence. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

<i>Column 1 Item Number</i>	<i>Column 2 Description of Offence</i>	<i>Column 3 Provision</i>	<i>Column 4 Penalty Sum in Dollars</i>
1	Carrying on business as a collection agent without collection agent licence	4(a)*	\$500
2	Acting as a collector without licence as a collector	4(b)*	500
3	Holding oneself out to be a collection agent or collector without having a licence	5*	250
4	Not complying with the terms, conditions and restrictions	15(3)	250
5	Failing to supply the registrar with further information or material within time requested or failing to provide any requested affidavits	19	350
6	Committing an unlawful practice	29	200

31 Dec 2004 SR 130/2004 s7.

TABLE 37
The Direct Sellers Act

The provisions set out in Column 3 are the provisions of *The Direct Sellers Act* that impose the prohibitions or requirements described in Column 2. Section 36 of that Act provides that a contravention of those provisions is an offence. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

<i>Column 1</i> <i>Item Number</i>	<i>Column 2</i> <i>Description of Offence</i>	<i>Column 3</i> <i>Provision</i>	<i>Column 4</i> <i>Penalty Sum in Dollars</i>
1	Carrying on the business of a direct seller (vendor) (salesman) without a licence	4*	\$400
2	Acting as a salesman of another vendor	5(2)	400
3	Acting as a vendor or a salesman for or on behalf of a vendor whose name is not specified in the licence	5(3)	400
4	Selling or offering for sale or soliciting offers for the future delivery of goods or services of any class or sort other than those specified in the licence	5(4)	400
5	Failing to provide a copy of the direct sales contract to the purchaser at the time it is made	6(2)	400
6	Failing to provide a direct sales contract that conforms to the requirements in the Act or regulations	6(3)	400
7	Failing to comply with the terms, conditions and restrictions prescribed on the licence to which the licence is subject	15	400
8	Failing to refund to the purchaser all money received under the contract within 15 days of the cancellation	23(1)(a)*	400
9	Failing to return within 15 days of the cancellation to the purchaser any trade-in received or an amount equal to the value of the trade-in received under the contract	23(1)(b)*	400

TABLE 38
The Film and Video Classification Act

The provisions set out in Column 3 are the provisions of *The Film and Video Classification Act* that impose the prohibitions or requirements described in Column 2. Section 14 of the Act provides that a contravention of those provisions is an offence. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

<i>Column 1</i> <i>Item Number</i>	<i>Column 2</i> <i>Description of Offence</i>	<i>Column 3</i> <i>Provision</i>	<i>Column 4</i> <i>Penalty Sum in Dollars</i>
1	Failure of an exhibitor, retail distributor or wholesale distributor, as the case may be, who intends to exhibit or distribute a film approved by the board to remove any portions of the film that the board does not approve of	4(1)(b)*	\$500
2	Failure of the owner of a film or any other person proposing to exhibit or distribute a film to ensure that the film and any advertising associated with the film display the classification for that film given or approved by the board and any additional information that the board may require	6(1)(b)*	500
3	Prohibiting the board, or any person authorized by the board, at any reasonable time without a warrant, from entering any theatre or any place connected with that theatre, other than a private dwelling place, where a film or advertising associated with a film is or may be located	7(1)(a)*	500
4	Refusing the board, or any person authorized by the board, entrance to any premises, other than a private dwelling place, where a film is or is to be distributed	7(1)(b)*	500
5	Refusing to produce to the board, or any person authorized by the board, the production of a film and any advertising		

	associated with the film that the board or person considers necessary	7(1)(c)*	500
6	Failure of a retail distributor or an owner, lessee, manager of the theatre or of the premises, or as the case may be, to refuse to permit any person under the permitted age for that film to view or purchase, lease or exchange that film	12*	500

31 Dec 2004 SR 130/2004 s7.

TABLE 39
The Film and Video Classification Regulations, 1997

The provisions set out in Column 3 are the provisions of *The Film and Video Classification Regulations, 1997*, made pursuant to *The Film and Video Classification Act*, that impose the prohibitions or requirements described in Columns 2. Section 14 of that Act provides that a contravention of those regulations is an offence.

<i>Column 1 Item Number</i>	<i>Column 2 Description of Offence</i>	<i>Column 3 Provision</i>	<i>Column 4 Penalty Sum in Dollars</i>
1	Failing to notify the board in writing of a change, either before or within seven days after its occurrence, of:		
	(a) the address for service of the registrant;	3(3)(a)	\$50
	(b) the name under which the registrant is incorporated, continued or registered pursuant to <i>The Business Corporations Act</i> or <i>The Business Names Registration Act</i> , as the case may be;	3(3)(b)	50
	(c) the registrant's inventory caused by adding the category of films classified as "Adult" to the inventory or by removing that category of film from the inventory	3(3)(d)	50

2	Failure of a retail distributor who offers for sale, rent, lease or exchange only films classified as "Adult" to display in a conspicuous manner at all entrances to his or her business premises a sign reading "No Admittance to Persons Under Age 18"	14(1)	50
3	Allowing a person under 18 years of age to enter a retail distributor's business premises where only films classified as "Adult" are offered for sale, rent, lease or exchange	14(1)	500
4	Failure of a retail distributor who offers for sale, rent, lease or exchange films classified as "Adult", in addition to films in other classifications, to offer the 'Adult' films in such a manner that:		
	(a) the "Adult" film product and/or explicit advertising is segregated visually and physically from persons under 18 years of age;	14(2)(a)	500
	(b) a person under 18 years of age is not admitted into the segregated area;	14(2)(b)	500
	(c) the prescribed sign is displayed at every entrance to the segregated area	14(2)(c)	50

TABLE 40
The Motor Dealers Act

The provisions set out in Column 3 are the provisions of *The Motor Dealers Act* that impose the prohibitions or requirements described in Column 2. Section 34 of that Act provides that a contravention of those provisions is an offence. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

<i>Column 1</i> <i>Item Number</i>	<i>Column 2</i> <i>Description of Offence</i>	<i>Column 3</i> <i>Provision</i>	<i>Column 4</i> <i>Penalty Sum in Dollars</i>
1	Acting as a dealer without holding a licence under the Act	3*	\$400
2	Holding self out as a dealer without holding a licence under the Act	4*	200
3	Not complying with the terms, conditions or restrictions to which the licence is subject	12(3)	400
4	Failing to maintain in the province a place of business satisfactory to the registrar	13	200
5	Failing to give further information when requested	17	250
6	Failing to provide books, documents, papers, correspondence or records for investigator	24	250
7	Failing to keep records for period and in manner found in regulations	25	250
8	Failing to use a contract approved by the registrar for evidencing a sale	26	250
9	Putting advertisement in print without name of dealer and Dealer Licence Number	29	200

TABLE 41

The Sale of Training Courses Act

The provisions set out in Column 3 are the provisions of *The Sale of Training Course Act* that impose the prohibitions or requirements described in Column 2. Section 37 of that Act provides that a contravention of those provisions is an offence. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

<i>Column 1</i> <i>Item Number</i>	<i>Column 2</i> <i>Description of Offence</i>	<i>Column 3</i> <i>Provision</i>	<i>Column 4</i> <i>Penalty Sum in Dollars</i>
1	Providing training courses without licence	3(a)*	\$200
2	Acting as a salesman without a salesman's licence	3(b)*	200
3	Holding self out as engaged in the business of providing training courses without a licence	4*	200
4	Selling or offering for sale a training course other than that specified in the licence	5	200 for individuals; 500 for corporations
5	Failing to comply with terms, conditions or restrictions of the licence	15	200 for individuals; 500 for corporations
6	Using a form of training contract that has not been approved by the registrar	23	200
7	Failing to keep proper records or account books	24	250
8	Failing to deliver a true copy of the contract to the purchaser	25	200
9	Contracting to commence training on a date more than 3 months after the signing of the contract by the purchaser	26	200
10	Guaranteeing a position of employment or obtaining a position of employment to any person for the purpose of inducing that person to enter into a training course	28	200

TABLE 42

The Security of Loads and Trip Inspection Regulations

The provisions set out in Column 3 are the provisions in National Safety Code Standard 13: Trip Inspections that apply in Saskatchewan pursuant to Part III of *The Security of Loads and Trip Inspection Regulations* made pursuant to *The Highways and Transportation Act, 1997* and that impose the prohibitions or requirements described in Column 2. Section 58 of *The Highways and Transportation Act, 1997* provides that a contravention of those regulations is an offence.

<i>Column 1 Item Number</i>	<i>Column 2 Description of Offence</i>	<i>Column 3 Provision</i>	<i>Column 4 Penalty Sum in Dollars</i>
1	Permitting a person to drive, driving or operating a commercial vehicle on a highway without the vehicle having been inspected as required	1	\$110 for individuals; 200 for corporations
2	Failing to prepare a report with the required information	5	110 for individuals; 200 for corporations
3	Permitting a person to drive or driving a commercial vehicle on a highway without possessing the required inspection report(s)	6	110 for individuals; 200 for corporations
4	Failing to provide a paper or electronic copy of the required inspection report on demand of an inspector	7	110
5	Permitting a person to drive or driving a commercial vehicle on a highway when a major defect is present on the vehicle	12	110 for individuals; 200 for corporations
6	Failing to correct all previously reported vehicle defects before the next required inspection or within the specified time frame	13	200
7	Failing to forward the original of each inspection report to the motor carrier responsible for the commercial vehicle within 20 days of completion of the report	14	110

8	Failing to retain the original copy of each vehicle inspection report and certification of repairs for at least 6 months from the date of the report	15	200
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10 Nov 2005 SR 115/2005 s7.

TABLE 43
The Litter Control Act

The provisions set out in Column 3 are the provisions of *The Litter Control Act* that impose the prohibitions or requirements described in Column 2. Section 15 of that Act provides that a contravention of those provisions is an offence. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

<i>Column 1</i> <i>Item Number</i>	<i>Column 2</i> <i>Description of Offence</i>	<i>Column 3</i> <i>Provision</i>	<i>Column 4</i> <i>Penalty Sum in Dollars</i>
1	Abandoning, or causing to be abandoned, a manufactured article, processed material or waste	3*	\$1,000
2	Failing to comply with the terms and conditions of an approval	6(4)	500
3	Failure of a vendor to pay a deposit	7(1)	250
4	Selling, offering for sale or distributing a container that is not an approved container	13	250
5	Supplying a beverage in a designated container without a licence	14.2(1)	250
6	Failing to pay the environmental handling charge or the refundable deposit	14.82(1)	250
7	Failing to collect the environmental handling charge or the refundable deposit	14.83(1)	250

8	Failing to remit the environmental handling charge or refundable deposit collected in the manner set out in the regulations	14.83(3)	250
9	Failing to furnish a return at the time or in the manner set out in the regulations	14.84(1)	250
10	Failure of a collector to pay to the minister the amounts remitted to the collector at the time or in the manner set out in the regulations	14.84(2)	250
11	Providing false information to the operator of a depot or an enforcement officer	14.911(3)*	1,000
12	Falsely claiming a refund	14.94(1)*	1,000
13	Failing to report to the minister the importation of designated containers or to pay to the minister the amount required pursuant to <i>The Litter Control Act</i>	14.94(2)*	1,000
14	Failing to provide written proof to an enforcement officer on request	14.941*	250

27 Apr 2007 SR 29/2007 s8; 22 Feb 2008 SR 5/
2008 s10.

TABLE 44
The Waste Paint Management Regulations

The provisions set out in Column 3 are the provisions of *The Waste Paint Management Regulations*, made pursuant to *The Environmental Management and Protection Act, 2002*, that impose the prohibitions or requirements described in Column 2. Section 74 of that Act provides that a contravention of those regulations is an offence. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

<i>Column 1 Item Number</i>	<i>Column 2 Description of Offence</i>	<i>Column 3 Provision</i>	<i>Column 4 Penalty Sum in Dollars</i>
1	Failing to operate a product management program approved by the minister or to enter into an agreement with a person who operates an approved product management program	4*	\$1,000
2	Failing to obtain the minister's written approval before making a change to a product management program	6	250

27 Apr 2007 SR 29/2007 s9; 22 Feb 2008 SR 5/
 2008 s11.

TABLE 45
The Waste Electronic Equipment Regulations

The provisions set out in Column 3 are the provisions of *The Waste Electronic Equipment Regulations*, made pursuant to *The Environmental Management and Protection Act, 2002*, that impose the prohibitions or requirements described in Column 2. Section 74 of that Act provides that a contravention of those regulations is an offence. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

<i>Column 1 Item Number</i>	<i>Column 2 Description of Offence</i>	<i>Column 3 Provision</i>	<i>Column 4 Penalty Sum in Dollars</i>
1	Failing to operate a product management program approved by the minister or enter into an agreement with a person who operates an approved product management program	4*	\$1,000
2	Failing to obtain the minister's written approval before making a change to a product management program	6	250

27 Apr 2007 SR 29/2007 s10; 22 Feb 2008 SR 5/2008 s12.

PART 3

Voluntary Payment Offences – Offence Notice Ticket Issued [clause 8(b)]

TABLE 1
The Traffic Safety Act

The provisions set out in Column 3 are the provisions of *The Traffic Safety Act* that impose the prohibitions or requirements described in Column 2. Sections 273 and 275 of that Act provide that a contravention of any of those provisions is an offence.

<i>Column 1 Item Number</i>	<i>Column 2 Description of Offence</i>	<i>Column 3 Provision</i>	<i>Column 4 Penalty Sum in Dollars</i>
1	Obstructing a licence plate	192(6)	\$100
2	Driving:		
	(a) in excess of 80 kilometres per hour	199(1)(a)	70 plus \$1 for each kilometre per hour in excess of the speed limit for speeds up to 30 km/hr above the speed limit and \$2 for each kilometre per hour in excess of the speed limit for speeds greater than 30 km/hr above the speed limit
	(b) in excess of the maximum speed indicated by signs on highway or at entrance to park;	199(1)(b)	70 plus \$1 for each kilometre per hour in excess of the speed limit for speeds up to 30 km/hr above the speed limit and \$2 for each kilometre per hour in excess of the speed limit for speeds greater than 30 km/hr above the speed limit
3	Driving in excess of 50 kilometres per hour over the applicable speed limit	199(2)	140 plus \$4 for each kilometre per hour in excess of the speed limit
4	Exceeding a speed that is reasonable and safe in the circumstances	199(3)	125

5	Driving at a speed that impedes traffic	199(4)	85
6	Exceeding the speed limit in a school zone	200(2)	140 plus \$2 for each kilometre per hour in excess of the speed limit for speeds up to 30 km/hr above the speed limit and \$4 for each kilometre per hour in excess of the speed limit for speeds greater than 30 km/hr above the speed limit
7	Exceeding the speed limit in a speed zone marked by signs	201	70 plus \$1 for each kilometre per hour in excess of the speed limit for speeds up to 30 km/hr above the speed limit and \$2 for each kilometre per hour in excess of the speed limit for speeds greater than 30 km/hr above the speed limit
8	Exceeding 60 kilometres per hour when passing a highway worker or flag person	203(1)	140 plus \$2 for each kilometre per hour in excess of the speed limit for speeds up to 30 km/hr above the speed limit and \$4 for each kilometre per hour in excess of the speed limit for speeds greater than 30 km/hr above the speed limit
9	Failing to obey the direction of a flag person or peace officer	203(3)	100

10	Exceeding 60 kilometres per hour when passing a stopped emergency vehicle that has its emergency lights in operation	204(1)	140 plus \$2 for each kilometre per hour in excess of the speed limit for speeds up to 30 km/hr above the speed limit and \$4 for each kilometre per hour in excess of the speed limit for speeds greater than 30 km/hr above the speed limit
11	Exceeding 60 kilometres per hour when passing a stopped tow truck that has its amber lights in operation	205(1)	140 plus \$2 for each kilometre per hour in excess of the speed limit for speeds up to 30 km/hr above the speed limit and \$4 for each kilometre per hour in excess of the speed limit for speeds greater than 30 km/hr above the speed limit
12	Stopping improperly on a highway	209(2)	85
13	Failing to sufficiently mark a stationary vehicle	209(3)(a), (b)	85
14	Failing to sufficiently mark an obstruction	209(3)(c)	85
15	Failing to obey a stop sign	209(6)(a)	180
16	Failing to obey a stop signal at a railway crossing	209(6)(b)	180
17	Bus transporting passengers failing to stop at a level railway crossing	209(7)(a)	180
18	Vehicle transporting goods and required to be placarded failing to stop at a level railway crossing	209(7)(b)	180
19	After stopping at a level railway crossing, proceeding while it is unsafe	209(8)	180

20	Parking in a prohibited area	210	60
21	Failing to obey a traffic rule on a parking lot	211	60
22	Passing a school bus that has its safety lights in operation	212(2)	300
23	Failing to stop five metres from the rear of a school bus that has its safety lights and stop arm in operation	212(3)	300
24	Failing to stop five metres from the front of a school bus that has its safety lights and stop arm in operation	212(4)	300
25	Driving without due care and attention	213(1)	220
26	Driving without reasonable consideration for others	213(2)	220
27	Driving in a contest of speed or racing with another vehicle on a highway	214(1)	125
28	Driver performing an activity on a highway that is likely to distract, startle or interfere with other users of the highway	214(2)	100
29	Driving through, interfering with, or obstructing a funeral procession	216(3)	60
30	Failing to keep to the right of the centre of the highway	217(1)(a)	100
31	Passing to the right of a vehicle	217(1)(b)	100
32	Passing at an intersection (same direction) when it is unsafe	217(3)	180
33	Moving, when it is unsafe, in front of a person or vehicle after passing	217(4)	85
34	Failing to keep to right when being overtaken	217(5)	100
35	Increasing speed when about to be overtaken	217(5)	100

36	Passing without a clear view of the highway	217(6)	100
37	Making a right turn from the wrong lane	218(1)	180
38	Making left turn from the wrong lane	218(2)	180
39	Failing to yield the right of way to a vehicle on the right	219(1)	180
40	Failing to yield the right of way when making a left turn	219(3)	180
41	Failing to yield the right of way on entering a provincial highway	219(4)	180
42	Failing to yield the right of way at a "yield" sign	219(5)	180
43	Failing to yield the right of way on entering a highway from other than a highway	219(6)	180
44	Failing to yield the right of way to the operator of road maintenance and construction equipment with an operating warning light	219(7)	100
45	After yielding the right of way, proceeding while it is unsafe	219(8)	180
46	Driving to the left of the centre on a highway	220(1)	100
47	Proceeding the wrong way on a one-way highway	221	100
48	Backing a vehicle on or onto a highway when it is unsafe	222	85
49	Failing to yield the right of way to pedestrians at a highway intersection or marked pedestrian crossing in the required manner	223(1)	180
50	Driver failing to stop the vehicle for a pedestrian at a marked pedestrian crossing in the required manner	223(1.1)	180
51	Passing a vehicle stopped for pedestrians	223(2)	100
52	Following too closely	225(1)	85

53	Failing to leave sufficient space when following	225(2)	85
54	Entering or leaving a controlled access highway except where the right to do so is indicated by a sign	226	85
55	Crossing a highway unlawfully	227	85
56	Changing lanes when it is unsafe	228(1)(a)	85
57	Crossing solid lines unlawfully to change lanes	228(1)(b)	85
58	Driving to the left of a solid centre line	228(1)(c)	100
59	Driving motorcycles more than two abreast	228(1)(e)	85
60	Driving a motorcycle beside a vehicle other than a motorcycle	228(1)(f)	85
61	Driving on the left-hand side of a median	229(1)	100
62	Crossing a median unlawfully	229(2)	100
63	Driving without lights as prescribed in the regulations	230(1)	85
64	Failing to dim headlights when approaching	230(2)(a)	85
65	Failing to dim headlights when following	230(2)(b)	85
66	Failing to dim headlights when passing	230(2)(c)	85
67	Failing to dim headlights when being overtaken	230(2)(d)	85
68	Failing to dim headlights when stationary	230(4)	85
69	Failing to extinguish a spot light	231	60
70	Failing to extinguish loading lamps	232	60

71	Using amber beacon or flashing light when prohibited	233	60
72	Failing to use a signalling device to warn of the intention to turn	234(1)	100
73	Failing to use a signalling device to warn of intention to stop or to abruptly reduce speed	234(1)	100
74	Failing to use a signalling device to warn of the intention to change lanes	234(1)	100
75	Failing to use the proper arm signal to warn of the intention to turn left	234(2)(a)	100
76	Failing to use the proper arm signal to warn of the intention to turn right	234(2)(b)	100
77	Failing to use the proper arm signal to warn of the intention to stop or to abruptly reduce speed	234(2)(c)	100
78	Driving contrary to a sign at an intersection with a green light	235(2)(a)	180
79	Driver failing to stop at crosswalk against an amber light	235(3)(a)	180
80	Failing to yield the right of way to a pedestrian at a marked crosswalk displaying only an amber light	235(4)	180
81	Failing to stop at a red light at an intersection	235(5)(a)	180
82	Making a right turn at a red light when prohibited by a sign	235(5)(b)	180
83	Making a left turn on a one-way street on a red light when prohibited	235(6)	180
84	Failing to stop at red light at a place other than an intersection	235(7)	85

85	Proceeding at an intersection in a direction not indicated by a green arrow	235(8)	180
86	Failing to yield at an intersection displaying a red light with a green arrow	235(9)	180
87	Failing to yield at a place other than an intersection displaying a red light with a green arrow	235(10)	180
88	Proceeding contrary to a green arrow	235(11)	180
89	Failing to obey a red flashing light, stopping at the wrong place or failing to stop or proceeding when it is unsafe to do so	235(13)	180
90	Failing to proceed cautiously at a flashing amber light	235(14)	180
91	Making a U-turn at an intersection with a traffic light	235(15)	180
92	Failing to yield the right of way to pedestrians at a "walk" signal	237(2)(b)	180
93	Failing to yield to an emergency vehicle	238(9)	85
94	Permitting a person to hold on to a moving vehicle or attach a device	240(2)	100
95	Driving with a television set or video or computer screen visible to the driver	241	125
96	Driving a commercial vehicle on a highway that is equipped with, contains or is carrying a radar warning device	242(2)(a)	100
97	Permitting a commercial vehicle to become or remain equipped with a radar warning device	242(2)(b)	100
98	Permitting a person to ride on the exterior part of a motor vehicle	244(1)	100

99	Allowing a person to sit on the wrong side of the driver	245(2)	125
100	Permitting an over-crowded driving compartment	245(3)	85
101	Driving without a clear view of the highway to the front and to both sides of the vehicle	246(1)	85
102	Failing to have a clear view to the rear	246(2)	85
103	Driving with an obstructed windshield or window	246(3)	85
104	Driver failing to wear a safety helmet on a motorcycle	247(1)	60
105	Driver failing to wear prescribed eye protection on a motorcycle without a windshield	247(3)	60
106	Driving a motorcycle side saddle	247(5)	60
107	Allowing a passenger under 16 years of age to ride motorcycle without a helmet or eye protection	247(8)(a)	60
108	Allowing more than one passenger on a motorcycle	247(8)(b)	125
109	Allowing a passenger to ride in front of the motorcycle driver	247(8)(c)	125
110	Allowing a passenger under 16 years of age to ride side saddle on a motorcycle	247(8)(d)	125
111	Allowing a passenger on a motorcycle not equipped for passengers	247(8)(e)	125
112	Allowing more than one person in a side car	247(8)(f)	125
113	Driver failing to wear a seat-belt assembly	248(1)	125
114	Driver failing to wear a seat-belt assembly properly	248(1)	125
115	Driving a vehicle with an unrestrained passenger under 16 years of age	248(4)	125

TABLE 1.1
The Commercial Vehicles Hours of Service Regulations

The provisions set out in Column 3 are the provisions of *The Commercial Vehicles Hours of Service Regulations* made pursuant to *The Highway Traffic Act* that impose the prohibitions or requirements described in Column 2. Section 94 of that Act provides that a contravention of those regulations is an offence.

<i>Column 1</i> <i>Item Number</i>	<i>Column 2</i> <i>Description of Offence</i>	<i>Column 3</i> <i>Section</i>	<i>Column 4</i> <i>Penalty Sum in Dollars</i>
1	Driving a commercial vehicle or requesting, requiring or permitting another person to drive a commercial vehicle without 8 consecutive hours of off-duty time	3	\$100 for individuals
2	Driving a commercial vehicle or requesting, requiring or permitting another person to drive a commercial vehicle in excess of the prescribed daily limits	6	100 for individuals
3	Failing to supply copies of required documents relating to issuance of a permit within the required time	11	100 for individuals
4	Failing to keep or maintain a driver's daily log or to ensure that drivers keep and maintain a driver's daily log	14	100 for individuals
5	Failing to complete a driver's daily log as prescribed	14	100 for individuals
6	Driving a commercial vehicle or requiring or permitting a person to drive a commercial vehicle without a driver's daily log completed up to last change in duty status	16	100 for individuals

7	Failing to forward driver's daily log to carrier within 20 days after completing daily log	19	100 for individuals
8	Failing to keep and maintain daily logs for six months	19	100 for individuals

28 Apr 2000 SR 26/2000 s22; 25 Oct 2002 SR 94/2002 s7.

TABLE 2

The Parks Regulations, 1991

The provisions set out in Column 3 are the provisions of *The Parks Regulations, 1991*, made pursuant to *The Parks Act*, that impose the prohibitions or requirements described in Column 2. Section 34 of *The Parks Act* provides that a contravention of those regulations is an offence.

<i>Column 1</i> <i>Item Number</i>	<i>Column 2</i> <i>Description of Offence</i>	<i>Column 3</i> <i>Section</i>	<i>Column 4</i> <i>Penalty Sum Dollars</i>
1	Failing to obey traffic sign or device	16(4)	\$50
2	Repealed. 30 Oct 98 SR 82/98 s7.		
3	Failing to comply with enforcement officer's traffic directions	18(4)(f)	100
4	Exceeding maximum speed limit 75 plus \$1 for each kilometre per hour over the speed limit	20	
5	Failing to stop vehicle at stop sign	22(1)	50
6	Causing loud and unnecessary noise with vehicle, part of vehicle or thing or substance in contact with vehicle	23	75

12 Jne 92 SR 44/92 s5; 30 Oct 98 SR 82/98 s7.

Table 3
The Vehicle Equipment Regulations, 1987

The provisions set out in Column 3 are the provisions of *The Vehicle Equipment Regulations, 1987*, made pursuant to *The Vehicle Administration Act*, that impose the prohibitions or requirements described in Column 2. Sections 79 and 80 of that Act provide that a contravention of those regulations is an offence.

<i>Column 1 Item Number</i>	<i>Column 2 Description of Offence</i>	<i>Column 3 Provision</i>	<i>Column 4 Penalty Sum in Dollars where the registered gross vehicle weight is less than 11,000 kg</i>	<i>Column 5 Penalty Sum in Dollars where the registered gross vehicle weight is 11,000 kg or more</i>
1	Having spring shackles longer than those specified by vehicle manufacturer	21(2)(b)	\$ 75	\$100
2	Failing to have brake system that consists of service brake and parking brake	22(1)	100	150
3	Failing to have service and parking brake systems constructed so that failure of one system does not prevent application of the other system	22(2)(b)	100	150
4	Failing to have a brake system with mechanical components that are secure, functional and not misaligned, broken or excessively worn	22(3)	100	100 per defective brake on the vehicle or combination of vehicles plus \$150 for more than 25% defective
5	Failing to have a service brake that applies brakes to all wheels	22(10)(a)	100	100 per defective brake on the vehicle or combination of vehicles plus \$150 for more than 25% defective

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6	Failing to have the service brake adjusted so that it applies braking equally on the opposite ends of the axle brake	22(10)(b)	100	100 per defective brake on the vehicle or combination of vehicles plus \$150 for more than 25% defective
7	Failing to have an air brake system that applies the brakes automatically when the air pressure drops below the prescribed amount	24(8)	100	220
8	Failing to keep steering system of vehicle maintained as required	25(1)(a)	100	150
9	Failing to have lamp securely mounted, meet SAE standards or be visible from at least 200 metres	31	75	75
10	Failing to focus auxiliary headlamps, fog lamps or driving lamps properly	33(1)(a)	75	75
11	Failing to connect auxiliary headlamps, fog lamps or driving lamps so that they are switched off when the low beam is selected	33(1)(b)	75	75
12	Failing to have a fifth wheel plate securely mounted	75(a)	100	100
13	Failing to have fifth wheel with a locking device to prevent separation from the semi-trailer king pin	75(b)	100	100
14	Failing to have exhaust systems securely mounted, properly positioned and releasing exhaust away from the vehicle	17	75	100

15	Failing to have windshield of proper type, that is large enough, clear or not excessively cracked	64	75	100
16	Failing to have tires of proper type, properly installed and in good condition	71	75	100
17	Failing to have lubrication between the fifth wheel and semi-trailer	75(c)	100	100
18	Failing to have steering assembly with manufacturer approved components and mechanisms	86(a)	100	150
19	Failing to have steering assembly geometry as specified by the manufacturer	86(b)	100	150
20	Failing to have one or two convex mirrors	131(1)	75	100
21	Failing to have the mirror located on the right front corner	131(2)(a)	75	100
22	Failing to have a mirror of the proper type	131(2)(b)	75	100
23	Failing to have a mirror mounted so the driver has an adequate view of the front and right side of the vehicle	131(2)(c)	75	100
24	Failing to have two mirrors of the proper type and properly located in the vehicle	131(3)(a)	75	100
25	Failing to have two mirrors mounted so that the driver has an adequate view of the front and right side of the vehicle	131(3)(b)	75	100

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26	Failing to have a proper brake system for the vehicle	174(1)	100	100 per defective brake on the vehicle or combination of vehicles plus \$150 for more than 25% defective
27	Failing to have a brake system that activates the brakes if there is a break-away from the towing vehicle	174(2)	100	100 per defective brake on the vehicle or combination of vehicles plus \$150 for more than 25% defective
28	Failing to have a brake system that can be activated by the brake pedal of the towing vehicle	174(3)	100	100 per defective brake on the vehicle or combination of vehicles plus \$150 for more than 25% defective
29	Failing to have the service brake properly adjusted	174(4)	100	100 per defective brake on the vehicle or combination of vehicles plus \$150 for more than 25% defective
30	Failing to keep brake system properly maintained	174(5)	100	100 per defective brake on the vehicle or combination of vehicles plus \$150 for more than 25% defective
31	Failing to have an air brake system with a secondary system	178(2)	100	100
32	Failing to have lamps that are securely mounted, meet SAE standards and are visible	179	75	100
33	Failing to have the proper tires in good condition on Type T vehicles	196	75	100

34	Failing to have a secondary coupling device that prevents disconnection from the towing vehicle	199(1)(a)	75	100
35	Failing to have a brake system	228(1)	100	100
36	Failing to have a brake system where application applies to front and rear wheels	228(2)	100	100
37	If the vehicle has two brake systems, failing to have each apply properly	228(3)	100	100
38	Failing to have a brake system that permits adequate stopping	228(4)	100	100
39	Failing to have the proper tires on a Type M vehicle	254	75	100

14 Jly 2000 SR 51/2000 s12; 25 Oct 2002 SR 94/2002 s8.

TABLE 4

The School Bus Operating Regulations, 1987

The provisions set out in Column 3 are the provisions of *The School Bus Operating Regulations, 1987*, made pursuant to *The Highway Traffic Act*, that impose the prohibitions or requirements described in Column 2. Section 94 of that Act provides that a contravention of those regulations is an offence.

<i>Column 1 Item Number</i>	<i>Column 2 Description of Offence</i>	<i>Column 3 Section</i>	<i>Column 4 Penalty Sum in Dollars</i>
1	Operating bus that is not in a clean and sanitary condition	3(b)	\$ 50
2	Leaving bus containing passengers without turning off engine, removing ignition key and engaging parking brake	3(c)	50
3	Operating bus while transporting passengers without activating headlamp and tail lamps	3(d)	50
4	Backing up bus on school grounds without direction of responsible person positioned to see that bus can be safely backed up	3(f)	50
5	Entering provincial highway without stopping bus between four and 10 metres from travelled portion and ensuring that it is safe to proceed	3(h)	50
6	Activating safety lights when bus is not stopped or in the process of stopping for the purpose of loading or unloading school children	3(i)	125
7	Activating stop arm when bus is not stopped for the purpose of loading or unloading school children	3(j)	125
8	Failing to activate the safety lights:		
	(a) on a highway with a speed limit of more than 50 kilometres per hour, not less than 100 metres;	4(a)	125

	(b) on a highway with a speed limit of 50 kilometres per hour or less, not less than 25 metres; before stopping to load or unload school children		
9	Discontinuing the operation of the safety lights before it is safe to do so	4(a)	125
10	Failing to activate the stop arm when the bus is stopped for the purpose of loading or unloading school children	4(b)	125
11	Failing to exercise due caution	4(d)(i)	50
12	Failing to move the bus as far to the right as practical when loading or unloading passengers on a highway	4(d)(ii)	50
13	Failing to stop on the side of the street nearest the school at a school on any street that allows traffic in both directions	4(d)(iii)	50
14	Failing to stop at a railway crossing as required	4(e)	50

21 Dec 90 cS-63.1 Reg 2; 14 Jly 2000 SR 51/
2000 s13.

TABLE 5

Bylaw of a City, Town, Village or Rural Municipality, the Wascana Centre Authority, the Meewasin Valley Authority, the Wakamow Valley Authority or the University of Saskatchewan

<i>Column 1 Item Number</i>	<i>Column 2 Description of Offence</i>	<i>Column 3 Penalty Sum in Dollars</i>
1	Speeding	\$70 plus \$1 for each kilometre per hour in excess of the speed limit for speeds up to 30 km/hr above the speed limit and \$2 for each kilometre per hour in excess of the speed limit for speeds greater than 30 km/hr above the speed limit
2	Driving in a curb lane	The amount specified by the municipality, authority or university
3	Driving off a heavy vehicle route	The amount specified by the municipality, authority or university
4	Driving the wrong way on a one-way street	The amount specified by the municipality, authority or university
5	Making a prohibited U-turn	The amount specified by the municipality, authority or university
6	Disobeying a directive of a traffic control sign or device	The amount specified by the municipality, authority or university
7	Obstructing an intersection	The amount specified by the municipality, authority or university
8	Failing to yield where required	The amount specified by the municipality, authority or university
9	Making a prohibited turn	The amount specified by the municipality, authority or university
10	Following too closely	The amount specified by the municipality, authority or university
11	Stopping on the street	The amount specified by the municipality, authority or university
12	Crossing a solid or double line	The amount specified by the municipality, authority or university
13	Entering lane from private property when not safe	The amount specified by the municipality, authority or university

14	Entering highway from lane when not safe	The amount specified by the municipality, authority or university
15	Operating a vehicle off roadway	The amount specified by the municipality, authority or university
16	Improper or unsafe backing	The amount specified by the municipality, authority or university

21 Dec 90 cS-63.1 Reg 2; 6 Nov 92 SR 112/92 s12; 5 Mar 93 SR 16/93 s5; 27 Apr 2007 SR 29/2007 s11.

PART 4
Discretionary Offences
[section 9]

TABLES 1 to 13

Repealed. 28 Apr 2000 SR 26/2000 s23.

The Driver Licensing and Suspension Regulations, 2006

being

Chapter T-18.1 Reg 2 (effective July 1, 2006) as amended by
Saskatchewan Regulations 2/2007, 72/2007, 78/2007,
101/2008 and 42/2009.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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- Form Notice and Order of Suspension, Disqualification and Prohibition

PART III

CHAPTER T-18.1 REG 2

The Traffic Safety Act

PART I

Title and Interpretation

Title

1 These regulations may be cited as *The Driver Licensing and Suspension Regulations, 2006*.

Interpretation

2(1) In these regulations:

- (a) **"Act"** means *The Traffic Safety Act*;
- (b) **"addictions counsellor"** means a person who:
 - (i) is employed as an addictions counsellor by a regional health authority governed by *The Regional Health Services Act*;
 - (ii) is working as an addictions counsellor under contract to a regional health authority governed by *The Regional Health Services Act*; or
 - (iii) in the opinion of the administrator, is qualified to provide services as an addictions counsellor;
- (c) **"bus"** means a vehicle that has a seating capacity of more than 15 passengers;
- (d) **"child"**, with respect to an individual, includes:
 - (i) another individual to whom the individual stands in the place of a parent; and
 - (ii) another individual for whose support an individual was, at the relevant date for the purposes of these regulations, liable pursuant to any Act or Act of the Parliament of Canada;
- (e) **"class 1 motor vehicles"** means:
 - (i) power unit and semi-trailer combinations;
 - (ii) trucks, other than two-axle trucks that are registered as Class F, when towing a vehicle or vehicles where the combined gross weight of the vehicles being towed exceeds 4 600 kilograms; and
 - (iii) buses when towing a vehicle or vehicles where the combined gross weight of the vehicles being towed exceeds 4 600 kilograms;
- (f) **"class 2 motor vehicles"** means buses that have a seating capacity of more than 24 passengers, when transporting passengers;

- (g) **“class 3 motor vehicles”** means:
 - (i) trucks with more than two axles, other than trucks registered as Class F;
 - (ii) trucks mentioned in subclause (i), when towing a vehicle or vehicles where the combined gross weight of the vehicles being towed does not exceed 4 600 kilograms; and
 - (iii) power units with more than two axles, when not towing a trailer;
- (h) **“class 4 motor vehicles”** means:
 - (i) buses that have a seating capacity of not more than 24 passengers, when transporting passengers;
 - (ii) vehicles registered in Class PT;
 - (iii) vehicles registered in Class PB or PC:
 - (A) when transporting not more than 24 passengers for hire; and
 - (B) when not used exclusively to transport passengers with a disability and any attendants to those passengers;
 - (iv) ambulances, when being used for hire;
- (i) **“class 5 motor vehicles”** means:
 - (i) vehicles with not more than two axles that are not class 1, 2, 3 or 4 motor vehicles or motorcycles;
 - (ii) trucks with two axles registered as Class F, when towing any vehicle;
 - (iii) trucks with two axles, when towing a vehicle or vehicles where the combined gross weight of the vehicles being towed does not exceed 4 600 kilograms;
 - (iv) trucks with more than two axles registered as Class F;
 - (v) trucks with more than two axles registered as Class F, when towing a vehicle or vehicles where the combined gross weight of the vehicles being towed does not exceed 4 600 kilograms;
 - (vi) buses, when not carrying passengers;
 - (vii) vehicles registered in Class PB or PC:
 - (A) when transporting not more than 24 passengers for hire; and
 - (B) when used exclusively to transport passengers with a disability and any attendants to those passengers;
 - (viii) motor homes with three axles;
 - (ix) public service vehicles used in the operation of a taxi service, when not being used for hire;
 - (x) ambulances, when not being used for hire;
 - (xi) vehicles used by a law enforcement agency; and
 - (xii) any vehicle registered as a school bus, with or without passengers;

- (j) **"disability"** means, with respect to a person:
- (i) a loss of function of lower limbs that requires the person to use a wheelchair;
 - (ii) a physical or mental impairment, of a permanent or temporary nature, that requires the person to use a mechanical aid, including a walker or crutches;
 - (iii) a physical impairment, including the effects of aging, that causes the person to be unstable or to have difficulty when walking; or
 - (iv) a physical restriction or condition that makes walking a further risk to the person's health;
- (k) **"driver training school"** means a driver training school that is the holder of a driver training school certificate issued pursuant to *The Driver Training Regulations, 1986*;
- (l) **"DWI course"** means a Driving Without Impairment course of studies approved by the administrator;
- (m) **"fees regulations"** means *The Traffic Safety Fees Regulations*;
- (n) **"ignition interlock device"** means a device approved by the administrator that:
- (i) is installed in a vehicle; and
 - (ii) is designed to measure the concentration of alcohol in the driver's blood;
- (o) **"ignition interlock program"** means a program that enables a driver to operate a motor vehicle with an ignition interlock device subject to the terms and conditions set out in sections 39 to 41;
- (p) **"immediate family"**, with respect to an individual, means the individual's:
- (i) spouse;
 - (ii) child;
 - (iii) parent;
 - (iv) brother or sister; or
 - (v) grandmother or grandfather;
- (p.1) **"imposed restrictions"** means any restrictions placed or imposed by the administrator on a driver's licence pursuant to section 38 of the Act or these regulations;
- (q) **"medical report"** means a medical report described in clause 42(1)(b) of the Act, a vision report described in clause 42(1)(c) of the Act or a report by an addictions counsellor or psychologist described in clause 42(1)(d) of the Act that is required by the administrator with respect to an applicant for or a holder of a driver's licence or an applicant for a renewal of a driver's licence;

- (r) **“new driver”** means a driver described in subsection (2);
 - (s) **“parent”** means:
 - (i) the mother or the father of a child;
 - (ii) a person to whom custody of a child has been granted by a court of competent jurisdiction or by a custody agreement; or
 - (iii) a person with whom a child resides and who stands in the place of a parent to the child;
 - (t) **“passenger”** does not include:
 - (i) the driver of a vehicle;
 - (ii) a mechanic who is present for the purpose of testing or inspecting the vehicle;
 - (iii) a driver examiner; or
 - (iv) if the driver of a vehicle is a learner, a person licensed to drive the vehicle who is present for the purpose of supervising the learner;
 - (u) **“provisional driver’s licence”** means a driver’s licence mentioned in subsection 38(6);
 - (v) **“registered”**, for the purposes of clauses (e), (g), (h) and (i) and subsection 11(2), means registered pursuant to the Act;
 - (w) **“restricted driver’s licence”** means a driver’s licence that has been restricted by the administrator, and includes a driver’s licence mentioned in subsection 39(1) or section 42;
 - (x) **“seating capacity”** means the maximum number of adult persons that can be seated in a vehicle when all seats for passengers are occupied;
 - (y) **“spouse”**, with respect to an individual, means:
 - (i) the legally married spouse of the individual; or
 - (ii) if the individual does not have a spouse within the meaning of subclause (i), another individual with whom the individual is cohabiting and has cohabited as spouses:
 - (A) continuously for a period of not less than two years; or
 - (B) continuously for a period of not less than one year, if they are parents of a child.
- (2) For the purposes of these regulations and the Act, **“new driver”** means, subject to section 29:
- (a) the holder of a class 7 driver’s licence;
 - (b) the holder of a class 5 driver’s licence with a novice 1 or novice 2 restriction noted on the driver’s licence; or
 - (c) the holder of a licence issued by another jurisdiction that is equivalent to a driver’s licence described in either clause (a) or (b).

PART II
Driving Authority and Restrictions

Class 1 driver's licences

3 Subject to any imposed restrictions on a class 1 driver's licence, the holder of the class 1 driver's licence may operate:

- (a) classes 1, 2, 3, 4 and 5 motor vehicles; and
- (b) any other vehicles that the holder of the driver's licence is entitled to operate by virtue of an endorsement placed by the administrator on the driver's licence, subject to the terms and conditions of the endorsement.

7 Sep 2007 SR 78/2007 s4.

Class 2 driver's licence

4 Subject to any imposed restrictions on a class 2 driver's licence, the holder of the class 2 driver's licence may operate:

- (a) classes 2, 3, 4 and 5 motor vehicles; and
- (b) any other vehicles that the holder of the driver's licence is entitled to operate by virtue of an endorsement placed by the administrator on the driver's licence, subject to the terms and conditions of the endorsement.

7 Sep 2007 SR 78/2007 s4.

Class 3 driver's licence

5 Subject to any imposed restrictions on a class 3 driver's licence, the holder of the class 3 driver's licence may operate:

- (a) classes 3, 4 and 5 motor vehicles; and
- (b) any other vehicles that the holder of the driver's licence is entitled to operate by virtue of an endorsement placed by the administrator on the driver's licence, subject to the terms and conditions of the endorsement.

7 Sep 2007 SR 78/2007 s4.

Class 4 driver's licence

6 Subject to any imposed restrictions on a class 4 driver's licence, the holder of the class 4 driver's licence may operate:

- (a) classes 4 and 5 motor vehicles; and
- (b) any other vehicles that the holder of the driver's licence is entitled to operate by virtue of an endorsement placed by the administrator on the driver's licence, subject to the terms and conditions of the endorsement.

7 Sep 2007 SR 78/2007 s4.

Class 5 driver's licence

7 Subject to any imposed restrictions on a class 5 driver's licence, the holder of the class 5 driver's licence may operate:

- (a) class 5 motor vehicles;
- (b) an emergency vehicle mentioned in clause 238(1)(e) of the Act but only if the holder of the class 5 driver's licence has successfully completed a driving course approved by the administrator for the operation of emergency vehicles; and

(c) any other vehicles that the holder of the driver's licence is entitled to operate by virtue of an endorsement placed by the administrator on the driver's licence, subject to the terms and conditions of the endorsement.

1 May 2009 SR 42/2009 s2.

Holder of European driver permit may operate class 5 motor vehicles

8(1) In this section, **"European driver permit"** means a valid driving permit that is:

- (a) issued to a person by a member state of the European Union; and
- (b) recognized by all member states of the European Union.

(2) The holder of a European driver permit may operate class 5 motor vehicles.

7 Jly 2006 cT-18.1 Reg 2 s8.

Class 7 driver's licence

9 Subject to any imposed restrictions on a class 7 driver's licence, the holder of the class 7 driver's licence may operate:

- (a) a class 5 motor vehicles as a learner; and
- (b) any other vehicles that the holder of the driver's licence is entitled to operate by virtue of an endorsement placed by the administrator on the driver's licence, subject to the terms and conditions of the endorsement.

7 Sep 2007 SR 78/2007 s5.

Classes for snowmobiles

10(1) In this section:

- (a) **"accompanied and supervised"** means accompanied and supervised as defined in *The Snowmobile Regulations, 1998*;
- (b) **"snowmobile"** means a snowmobile as defined in *The Snowmobile Act*.

(2) The holder of a class 1, 2, 3, 4 or 5 driver's licence may operate a snowmobile.

(3) Subject to *The Snowmobile Act* and subsection (4), the holder of a class 7 driver's licence may operate a snowmobile that is required to be registered but only if the holder of the class 7 driver's licence is:

- (a) accompanied on the snowmobile by the holder of a class 1, 2, 3, 4 or 5 driver's licence; or
- (b) accompanied and supervised by the holder of a class 1, 2, 3, 4, or 5 driver's licence operating another snowmobile.

(4) For the purposes of accompanying or supervising the holder of a class 7 driver's licence on a snowmobile, the holder of a class 5 driver's licence must not be the holder of a class 5 driver's licence with a novice 1 or novice 2 restriction.

7 Jly 2006 cT-18.1 Reg 2 s10.

Other restrictions

11(1) Subject to subsections (2) and (3), no driver's licence permits its holder to operate a motor vehicle that is equipped with air brakes unless the licence bears the endorsement "A".

(2) Subsection (1) does not apply to a person operating a class 5 motor vehicle that is registered as Class F.

(3) A person whose driver's licence does not bear the endorsement "A" may operate a motor vehicle equipped with air brakes as a learner if the licence would permit him or her to operate the vehicle if it were not so equipped.

(4) No driver's licence permits its holder to operate a Class PS motor vehicle unless the licence bears a school bus endorsement.

(5) No class 5 driver's licence permits its holder to operate a vehicle that is transporting more than 12 passengers unless the holder is at least 18 years of age and the class 5 driver's licence does not have a novice 1 or novice 2 restriction noted on the driver's licence.

(5.1) Subject to subclause 2(1)(i)(ii), no Class 2, 3, 4, 5 or 7 driver's licence permits its holder operate a truck that is towing a vehicle or combination of vehicles where the combined gross weight of the vehicles being towed is in excess of 4 600 kilograms unless the licence bears an endorsement permitting the holder of the licence to do so.

(6) A class 7 licence held by a person who is 15 years of age remains valid only if the person is enrolled in or has completed a high school driver training program that is under the direction of the Government of Saskatchewan.

(7) A class 7 driver's licence may only be endorsed with an "M" or "6" endorsement if the holder of the class 7 driver's licence is 16 years of age or older.

(8) No person is eligible to be issued a class 1, 2, 3 or 4 driver's licence unless he or she is at least 18 years of age.

(9) No new driver is eligible to be issued:

- (a) a class 1, 2, 3, or 4 driver's licence; or
- (b) a class 1, 2, 3 or 4 endorsement on his or her driver's licence.

(10) The administrator shall not provide the following persons with a school bus endorsement:

- (a) a new driver;
- (b) a person whose habits or conduct, in the opinion of the administrator, make that person's operation of a school bus a source of danger to the public;
- (c) a person under the age of 18 years.

Restrictions on holders of class 7 driver's licences

12(1) For the purposes of the Act and these regulations, a class 7 driver's licence is deemed to be a learner's licence.

(2) For the purposes of this section, the following are not permitted to accompany and supervise the holder of a class 7 driver's licence:

- (a) another holder of a class 7 driver's licence;
- (b) the holder of a class 5 driver's licence with a novice 1 or novice 2 restriction.

(3) The holder of a class 7 driver's licence shall not operate a motor vehicle, other than a motorcycle, unless he or she is accompanied and supervised by another person who:

- (a) holds a driver's licence, and has held a driver's licence for 365 days in the preceding three years, that permits the other person to operate the vehicle being operated by the person holding the class 7 licence;
- (b) occupies the seat that:
 - (i) is nearest to the person holding the class 7 driver's licence; and
 - (ii) is, other than the driver's seat, nearest to the controls of the vehicle;

(c) is at all times conscious and capable of lawfully assuming the operation of the vehicle.

(4) The holder of a class 7 driver's licence shall not:

- (a) transport passengers other than immediate family members between the hours of 12:00 a.m. and 5:00 a.m. each day;
- (b) when operating a vehicle with a rear seat, transport any passengers in the front seat other than the supervising driver; or
- (c) transport more passengers than there are seat belts in the vehicle.

(5) If there is no seat-belt assembly in the vehicle, the holder of a class 7 driver's licence shall not transport more than three passengers in the vehicle in addition to the supervising driver.

(6) No holder of a class 7 driver's licence nor any person whose driver's licence entitles that person to operate a motorcycle as a learner shall operate a motorcycle:

- (a) during the period commencing one-half hour after sunset and ending one-half hour before sunrise;
- (b) when accompanied by a passenger; or
- (c) outside a 100 kilometre radius from the address or secondary address listed on the certificate of registration for the motorcycle.

(7) The holder of a driver's licence bearing an endorsement "1", "2", "3" or "4" who is operating a motor vehicle as a learner shall not operate the motor vehicle unless he or she is accompanied and supervised by another person who:

- (a) holds a driver's licence, and has held a driver's licence for 365 days in the preceding three years, that permits the other person to operate the class of motor vehicle being operated by the person holding the driver's licence bearing an endorsement "1", "2", "3" or "4";
- (b) occupies the seat that:
 - (i) is nearest to the person holding the driver's licence bearing an endorsement "1", "2", "3" or "4"; and
 - (ii) is, other than the driver's seat, nearest to the controls of the vehicle; and
- (c) is at all times conscious and capable of lawfully assuming the operation of the vehicle.

7 Jly 2006 cT-18.1 Reg 2 s12; 24 Aug 2007 SR
72/2007 s5.

Eligibility for class 5 driver's licence

13(1) No new driver is eligible to be issued a class 5 driver's licence unless he or she:

- (a) is at least 16 years of age;
 - (b) files with the administrator a medical report whenever requested by the administrator; and
 - (c) has held a class 5 driver's licence with a novice 2 restriction for at least 365 days before being eligible for a class 5 driver's licence.
- (2) Subject to subsection (4), the following rules apply for the purpose of calculating when the holder of a class 5 driver's licence with a novice 2 restriction has held that licence for 365 days:
- (a) the first day of the holder's 365-day period is to be the day the holder applies for and receives a class 5 driver's licence with a novice 2 restriction;
 - (b) the calculation of the 365 days is to stop if, at any time during the period the holder holds the class 5 driver's licence with a novice 2 restriction, any of the following occurs:
 - (i) the holder is determined by the administrator to be at least 50% at fault for an accident;
 - (ii) the holder is convicted of an offence pursuant to the Act or a predecessor Act;
 - (iii) the holder is convicted of an offence pursuant to section 220, 221 or 236, clause 249(1)(a), subsection 249(3) or (4), section 249.1 or 252, clause 253(a) or (b), subsection 255(2) or (3) or subsection 259(4) of the *Criminal Code* committed by means of a motor vehicle;

- (iv) the holder is convicted of an offence pursuant to subsection 254(5) of the *Criminal Code* for failure or refusal to comply with a breath demand pursuant to section 254;
 - (v) subject to subsection (5), the holder is disqualified from driving a motor vehicle on a highway, or the holder's driver's licence is suspended, pursuant to the Act or the regulations.
- (3) If the calculation of the 365-day period is stopped pursuant to subsection (2):
- (a) the holder is deemed not to have previously held a class 5 driver's licence with a novice 2 restriction; and
 - (b) the calculation of the 365-day period must begin again with the first day of the holder's 365-day period being the day following the latest of the following:
 - (i) the date of the holder's conviction;
 - (ii) the date of the accident; and
 - (iii) if the holder's driver's licence is subject to a suspension or the holder is disqualified from driving a motor vehicle on a highway, the date the driver's licence is reinstated or the period of disqualification ends.
- (4) The calculation of the holder's 365-day period is to be interrupted until the holder once again holds a valid driver's licence if any of the following circumstances occurs:
- (a) if the holder's driver licence is not suspended or the holder is not disqualified from driving a motor vehicle on a highway and the holder has failed to renew his or her driver's licence;
 - (b) if the holder is prohibited from renewing his or her driver's licence pursuant to clause 41(e), (f), (g), (i), (j), (k), (l), (q), (r) or (s) or section 52 of the Act.
- (5) If a holder's driver's licence is suspended pursuant to clause 41(h) or (n) or 48(2)(a), (d), (e) or (f) or section 135 of the Act:
- (a) subsection (2) is not to apply to the calculation of the holder's 365 day period; and
 - (b) calculation of the holder's 365-day period is to be interrupted until the holder once again holds a valid driver's licence.

7 Jly 2006 cT-18.1 Reg 2 s13.

Eligibility for class 5 driver's licence with a novice 2 restriction

14(1) No person is eligible for a class 5 driver's licence with a novice 2 restriction unless he or she:

- (a) is at least 16 years of age;
- (b) files with the administrator a medical report whenever requested by the administrator; and

- (c) has held a valid class 5 driver's licence with a novice 1 restriction for at least 183 days before being eligible to apply for a class 5 driver's licence with a novice 2 restriction.
- (2) For the purposes of clause (1)(c), when calculating the number of days a holder has held a valid class 5 driver's licence with a novice 1 restriction, the administrator shall not include in the calculation any period during which:
 - (a) the holder is disqualified from driving a motor vehicle on a highway, or the holder's driver's licence is suspended, pursuant to the Act or the regulations;
 - (b) the holder is disqualified from driving a motor vehicle on a highway as a result of a conviction for an offence pursuant to section 220, 221, or 236, clause 249(1)(a), subsection 249(3) or (4), section 249.1 or 252, clause 253(a) or (b), subsection 255(2) or (3) or subsection 259(4) of the *Criminal Code* committed by means of a motor vehicle; or
 - (c) the holder does not hold a valid driver's licence or has been refused renewal of his or her driver's licence.

7 Jly 2006 cT-18.1 Reg 2 s14.

Eligibility for class 5 driver's licence with a novice 1 restriction

15(1) No person is eligible for a class 5 driver's licence with a novice 1 restriction unless he or she:

- (a) is at least 16 years of age;
- (b) submits to the administrator evidence satisfactory to the administrator of his or her name and age;
- (c) if he or she is under 18 years of age and has not previously held a driver's licence, submits to the administrator the written consent of one of his or her parents;
- (d) files with the administrator a medical report whenever requested by the administrator;
- (e) has passed the vision, sign, road and written or oral tests determined by the administrator for a class 5 licence;
- (f) has held a valid class 7 driver's licence for at least 274 days before applying for a class 5 driver's licence with a novice 1 restriction; and
- (g) either:
 - (i) has undergone and successfully completed a high school driver training program that is under the direction of the Government of Saskatchewan; or
 - (ii) has received a minimum of six hours of in-car training and a minimum of six hours of classroom training by a driver instructor as defined in *The Driver Training Regulations, 1986*.

(2) For the purposes of clause (1)(f), when calculating the number of days a driver has held a class 7 driver's licence, the administrator shall not include in the calculation any period during which:

- (a) the holder is disqualified from driving a motor vehicle on a highway, or the holder's driver's licence is suspended, pursuant to the Act or the regulations;
- (b) the holder is disqualified from driving a motor vehicle on a highway as a result of a conviction for an offence pursuant to sections 220, 221, 236, clause 249(1)(a), subsection 249(3) or (4), section 249.1 or 252, clause 253(a) or (b), subsection 255(2) or (3) or subsection 259(4) of the *Criminal Code* committed by means of a motor vehicle; or
- (c) the holder does not hold a valid driver's licence or has been refused renewal of his or her driver's licence.

7 Jly 2006 cT-18.1 Reg 2 s15.

Eligibility for class 7 driver's licence

16 No person is eligible for a class 7 driver's licence unless he or she:

- (a) is either:
 - (i) at least 16 years of age; or
 - (ii) at least 15 years of age and is enrolled in or has completed a high school driver training program that is under the direction of the Government of Saskatchewan;
- (b) if he or she is under 18 years of age and has not previously held a driver's licence, submits to the administrator the written consent of one of his or her parents;
- (c) files with the administrator a medical report whenever requested by the administrator; and
- (d) has passed the vision, sign, and written or oral tests determined by the administrator for a class 7 licence.

7 Jly 2006 cT-18.1 Reg 2 s16.

Limits on holders of class 5 driver's licence with novice 1 restriction

17(1) Subject to subsection (2), the holder of a class 5 driver's licence with a novice 1 restriction shall not transport more than one passenger.

(2) Subject to subsections (3) and (4), the holder of a class 5 driver's licence with a novice 1 restriction may transport:

- (a) more than one passenger if all passengers are members of the driver's immediate family; or
- (b) more than one passenger if he or she is transporting:
 - (i) one passenger other than an immediate family member; and
 - (ii) all other passengers are members of the driver's immediate family.

- (3) The holder of a class 5 driver's licence with a novice 1 restriction shall not transport more passengers than there are seat belts in the vehicle.
- (4) If there is no seat-belt assembly in the vehicle, the holder of a class 5 driver's licence with a novice 1 restriction shall not transport more than four passengers in the vehicle.

7 Jly 2006 cT-18.1 Reg 2 s17.

Limits on holders of class 5 driver's licence with novice 2 restriction

- 18(1) The holder of a class 5 driver's licence with a novice 2 restriction shall not transport more passengers than there are seat belts.
- (2) If there is no seat-belt assembly in the vehicle, the holder of a class 5 driver's licence with a novice 2 restriction shall not transport more than four passengers in the vehicle.

7 Jly 2006 cT-18.1 Reg 2 s18.

Requirements re endorsements

19(1) Subject to these regulations, the administrator shall not endorse a driver's licence to authorize the driver to operate a particular type of motor vehicle unless the holder of the driver's licence:

- (a) passes the vision, sign, road and written or oral tests determined by the administrator for the endorsement being sought;
 - (b) files with the administrator a medical report whenever requested by the administrator; and
 - (c) is at least 16 years of age.
- (2) The administrator shall not provide a person with a school bus endorsement unless the person:
- (a) every five years passes the vision, sign, road and written or oral test determined by the administrator for school bus operations; and
 - (b) when requested to do so by the administrator, files with the administrator a medical report as described in clause 42(1)(b) of the Act.

7 Jly 2006 cT-18.1 Reg 2 s19; 24 Aug 2007 SR
72/2007 s6.

Administrator's discretion

20 The administrator may waive the requirements of these regulations and may issue a driver's licence of a class it considers appropriate if the applicant should, in the administrator's opinion, be issued that licence because of that applicant's particular driving experience and expertise.

7 Jly 2006 cT-18.1 Reg 2 s20.

PART III
Actions Concerning Driver's Licences

Prescribed devices, persons and forms

21(1) Subject to subsection (2), for the purpose of subsection 149(3) of the Act, prescribed devices with which a sample of breath may be analyzed are:

- (a) Alcolmeter S-L2;
- (b) Alco-Sûr;
- (c) Alcotest 7410 PA3;
- (d) Alcotest 7410 GLC;
- (e) Alco-Sensor IV DWF;
- (f) Alco-Sensor IV PWF;
- (g) Intoxilyzer 400 D.

(2) If a device mentioned in subsection (1) is not reasonably available, for the purposes of subsection 149(3) of the Act, prescribed devices with which a sample of breath may be analyzed are:

- (a) Breathalyzer, Model 900;
- (b) Breathalyzer, Model 900 A;
- (c) Intoxilyzer 5000 C;
- (d) Intoxilyzer 8000 C;
- (e) DataMaster DMT-C.

(3) For the purpose of subsection 149(2) of the Act, the members of the class of persons who may take a sample of breath are peace officers.

(4) For the purpose of subsection 149(3) of the Act, the members of the class of persons who may operate a device by which a sample of breath may be analyzed are peace officers.

(5) For the purposes of subsections 148(9) and 150(4) of the Act, the peace officer shall complete the form set out in Part I of the Appendix, and deliver it to the driver.

7 Jly 2006 cT-18.1 Reg 2 s21; 7 Nov 2008 SR
101/2008 s5.

Interviews

22 A driver may be required pursuant to section 49 of the Act to attend for an interview or an education or safety seminar if:

- (a) he or she is convicted of a contravention of:
 - (i) the Act or a predecessor Act;
 - (ii) a law of any province or territory in Canada or a bylaw of a municipal corporation in Canada that is substantially similar to a provision of the Act;

- (iii) an offence pursuant to section 220, 221, 236, clause 249(1)(a), subsection 249(3) or (4), section 249.1, section 252, clause 253(a) or (b), subsection 255(2) or (3) or subsection 259(4) of the *Criminal Code* committed by means of a motor vehicle;
- (iv) an offence pursuant to subsection 254(5) of the *Criminal Code* for failure or refusal to comply with a demand pursuant section 254 of the *Criminal Code* where the offender, within the two hours preceding the offence, operated, or had the care or control of, a motor vehicle;
- (v) an offence pursuant to section 130 of the *National Defence Act* (Canada) for having contravened clause 253(a) or (b), subsection 254(5) or subsection 255(2) or (3) of the *Criminal Code*; or
- (vi) any law of the United States of America that is substantially similar to any of the provisions enumerated in subclause (i) to (v);
- (b) he or she is determined to be at least 50% at fault for an accident;
- (c) he or she, as a driver, is the object of a written complaint by:
 - (i) a judge of a court;
 - (ii) a justice of the peace;
 - (iii) a traffic officer designated pursuant to the Act;
 - (iv) a peace officer; or
 - (v) any person considered by the administrator to be a responsible individual; or
- (d) he or she has been the subject of an order of suspension or an order of disqualification made pursuant to section 150 of the Act.

7 Jly 2006 cT-18.1 Reg 2 s22.

Penalties for new drivers

23(1) In this section and section 24:

- (a) **“administrative penalty”** means one of the actions that the administrator may require a new driver to take pursuant to this section;
- (b) **“assigned rating”** means the rating assigned to an incident as set out in Part III of the Appendix;
- (c) **“incident”** means:
 - (i) a motor vehicle accident for which the new driver is determined to be at least 50% at fault; or
 - (ii) a conviction for an offence set out in Part III of the Appendix;
- (d) **“insurer”** means the insurer as defined in *The Automobile Accident Insurance Act*.

- (2) The administrator shall:
- (a) for a first incident with an assigned rating of 2 points or less, send a warning letter by ordinary mail to a new driver to the last address of the new driver known to the administrator; or
 - (b) for a first incident with an assigned rating of 3 to 6 points, require a new driver to attend an education or safety seminar approved by the administrator.
- (3) For the next incident, if any, that occurs after the first incident mentioned in subsection (2):
- (a) if as a result of the first incident the new driver was provided with a warning letter, the administrator shall require the new driver to attend an education or safety seminar approved by the administrator; or
 - (b) if as a result of the first incident the new driver was required to attend an education or safety seminar, the administrator shall require the new driver to attend a defensive driving course approved by the administrator.
- (4) For each subsequent incident registered against a new driver after the second incident mentioned in subsection (3), the administrator may impose on the new driver one of the following administrative penalties:
- (a) if the new driver was required to attend an education or safety seminar approved by the administrator as a result of the previous incident, the administrator may require the new driver to attend a defensive driving course approved by the administrator;
 - (b) if the new driver was required to attend a defensive driving course approved by the administrator as a result of the previous incident, the administrator may require the new driver to attend a driver improvement course approved by the administrator;
 - (c) if the new driver was required to attend a driver improvement course approved by the administrator as a result of the previous incident, the administrator may suspend the driver's licence of the new driver for 30 days;
 - (d) if the new driver had his or her driver's licence suspended for 30 days as a result of the previous incident, the administrator may suspend the driver's licence of the new driver for 90 days;
 - (e) if the new driver had his or her driver's licence suspended for 90 days as a result of the previous incident, the administrator may suspend the driver's licence of the new driver for 180 days.
- (5) If a new driver is involved in a motor vehicle accident that would, but for this section, be considered an incident for the purposes of this section and the new driver elects to reimburse the insurer for any moneys paid out pursuant to Parts III and IV of *The Automobile Accident Insurance Act* on behalf of the new driver:
- (a) the motor vehicle accident is not considered an incident; and
 - (b) the administrator shall not impose any administrative penalty pursuant to subsections (2) to (4) on the new driver respecting that motor vehicle accident.

(6) The administrator shall suspend the driver's licence of a new driver who, within 60 days after being advised of his or her obligation to participate in a seminar or course mentioned in this section as part of an administrative penalty, fails to participate in that seminar or course.

(7) If the administrator decides to impose an administrative penalty on a new driver, the administrator shall send a notice of the decision to the new driver by ordinary mail addressed to the last address of the new driver known to the administrator.

7 Jly 2006 cT-18.1 Reg 2 s23.

Appeals to board re administrative penalties

24(1) If as a result of an incident, the administrator imposes an administrative penalty on a new driver, the new driver may appeal to the board respecting the administrator's decision to impose the administrative penalty.

(2) A new driver who wishes to do so shall appeal pursuant to this section on a form, and in the manner, provided by the board.

(3) An appeal to the board does not stay any suspension of the driver's licence of the new driver imposed on the new driver by the administrator.

(4) On an appeal, the board may:

(a) overturn any administrative penalty imposed against the new driver pursuant to section 23, including overturning the suspension of the driver's licence of the new driver; or

(b) impose a different or an additional administrative penalty on the new driver that the board considers appropriate, including suspending the driver's licence of the new driver or reducing or increasing the period of suspension of the driver's licence of the new driver.

(5) If the board overturns the suspension of the driver's licence of a new driver pursuant to subsection (4), the period that the driver is without a licence before the date the suspension is overturned is to be counted as time the new driver held a valid driver's licence for the purposes of clauses 13(1)(c), 14(1)(c), and 15(1)(f).

7 Jly 2006 cT-18.1 Reg 2 s24.

Reinstatement conditions - roadside suspensions

25(1) In this section and in section 26, "**driver**" means the holder of a driver's licence, but does not include:

(a) a new driver; or

(b) the holder of a driver's licence issued pursuant to section 38 or 42.

(2) A driver shall complete the DWI course within 90 days after the date of the suspension if, pursuant to section 146 of the Act:

- (a) the driver's licence of the driver has been suspended because his or her blood contained not less than 40 milligrams of alcohol per 100 millilitres of blood and the suspension has not been terminated pursuant to subsection 146(4) or (5) of the Act; and
- (b) on a previous occasion within the five years before the suspension:
 - (i) the driver's licence of the driver had been suspended pursuant to section 146 of the Act or a similar provision of a predecessor Act; and
 - (ii) the suspension had not been terminated pursuant to subsection 146(4) or (5) of the Act or a similar provision of a predecessor Act.

7 Jly 2006 cT-18.1 Reg 2 s25.

Reinstatement conditions - roadside suspensions

26(1) A driver is not eligible to have his or her driver's licence reinstated unless he or she complies with subsection (2) if, pursuant to section 146 of the Act:

- (a) the driver's licence of the driver has been suspended because his or her blood contained not less than 40 milligrams of alcohol per 100 millilitres of blood and the suspension has not been terminated pursuant to subsection 146(4) or (5) of that Act; and
- (b) on two or more occasions within the five years before the suspension:
 - (i) the driver's licence of the driver had been suspended pursuant to section 146 of the Act or a similar provision of a predecessor Act; and
 - (ii) the suspension had not been terminated pursuant to subsection 146(4) or (5) of the Act or a similar provision of a predecessor Act.

(2) For the purposes of subsection (1), the driver must be assessed by an addictions counsellor and:

- (a) complete an education or a recovery program recommended by the addictions counsellor, and, if a recovery program has been recommended, be considered by an addictions counsellor to be at low risk for continued impaired driving; or
- (b) if no education or recovery program is recommended by the addictions counsellor, successfully complete a program that the administrator may direct.

(3) Notwithstanding subsection (2), no driver is eligible to have his or her driver's licence reinstated until the expiration of the period mentioned in subsection 147(6) of the Act.

7 Jly 2006 cT-18.1 Reg 2 s26.

When certain drivers must complete DWI course

27(1) In this section and section 28, “driver” means:

- (a) a new driver; or
- (b) the holder of a licence issued pursuant to section 38 or 42.

(2) If a driver has been subject to his or her first suspension pursuant to section 150 of the Act and the driver’s licence of the driver has not been returned after a review pursuant to section 153 of the Act, the driver shall complete the DWI course within 90 days from the date of the suspension.

7 Jly 2006 cT-18.1 Reg 2 s27.

New driver roadside suspension counselling requirement

28(1) A driver is not eligible to have his or her driver’s licence reinstated unless he or she has complied with subsection (2) if:

- (a) the driver has been suspended pursuant to section 150 of the Act and the driver’s licence of the driver has not been returned after a review pursuant to section 154 of the Act; and
- (b) the driver was, on a previous occasion, the subject of an order of suspension or disqualification issued pursuant to section 150 of the Act or a similar provision of a predecessor Act and that order was not cancelled after a review pursuant to section 154 of the Act or a similar provision of a predecessor Act.

(2) For the purposes of subsection (1), the driver must be assessed by an addictions counsellor, and:

- (a) complete an education or a recovery program recommended by the addictions counsellor, and, if a recovery program has been recommended, be considered by an addictions counsellor to be at low risk for continued impaired driving; or
- (b) if no education or recovery program is recommended by the addictions counsellor, successfully complete a program that the administrator may direct.

(3) Notwithstanding subsection (2), no driver is eligible to have his or her licence reinstated until the expiration of the period mentioned in subsection 151(6) of the Act.

7 Jly 2006 cT-18.1 Reg 2 s28.

Certain persons deemed to be a new driver

29(1) The holder of a driver’s licence issued pursuant to section 38 or 42 is a new driver for the purposes of sections 149 to 154 of the Act.

(2) If the holder of a driver’s licence issued pursuant to section 38 or 42 is found pursuant to section 150 of the Act to have driven a motor vehicle after consuming any amount of alcohol, the administrator shall suspend the holder’s driver’s licence for the remainder of any period of disqualification that would have been in force pursuant to subsection 141(3) of the Act when the restricted or provisional driver’s licence was issued if the offence had not been prescribed pursuant to section 36.

7 Jly 2006 cT-18.1 Reg 2 s29.

Provisional driver reinstatement programs

30(1) If the holder of a provisional driver's licence is found pursuant to section 150 of the Act to have driven a motor vehicle having consumed any amount of alcohol, the driver shall serve the remainder of the original period of suspension or disqualification unless he or she is reinstated pursuant to section 38 or 42.

(2) Notwithstanding subsection (1), the holder of a provisional driver's licence is not eligible to have his or her driver's licence reinstated unless he or she has been assessed by an addictions counsellor and:

(a) has completed an education or a recovery program recommended by the addictions counsellor, and, if a recovery program has been recommended, is considered by an addictions counsellor to be at low risk for continued impaired driving; or

(b) if no education or recovery program is recommended by the addictions counsellor, has successfully completed a program that the administrator may direct.

7 Jly 2006 cT-18.1 Reg 2 s30.

Specified period for subsequent convictions - section 142 of Act and sections 39 and 40.1 of regulations

30.1(1) In this section, "**specified date**" means:

(a) the date of the conviction; or

(b) if the court delays sentencing pursuant to subsection 720(2) of the *Criminal Code*, the date of sentencing.

(2) For the purposes of section 142 of the Act and sections 39 and 40.1 of these regulations, "**specified period**" means:

(a) for the year in which this section comes into force, the period that is seven years before the specified date;

(b) for the year commencing on January 1, 2008, the period that is eight years before the specified date;

(c) for the year commencing on January 1, 2009, the period that is nine years before the specified date;

(d) for the year commencing on January 1, 2010 and for each subsequent year, the period that is 10 years before the specified date.

7 Nov 2008 SR 101/2008 s6.

Documents to be sent to administrator re section 148 of Act

31 For the purposes of subsection 148(10) of the Act, a peace officer shall forward the following documents to the administrator if those documents are available to the peace officer:

(a) any witness statements;

(b) any statement provided by the driver;

(c) a copy of the Breathalyzer or Intoxilyzer check sheet;

(d) a copy of the prosecutor's information sheet;

(e) a copy of the investigator's check sheet;

- (f) a copy of the notes of any peace officer who was involved in imposing the administrative prohibition pursuant to section 148 of the Act;
- (g) any other information, equivalent to that mentioned in clauses (a) to (f), that is in the possession of the peace officer or the peace officer's police service, if any, and that concerns the imposition of an administrative prohibition pursuant to section 148 of the Act.

7 Jly 2006 cT-18.1 Reg 2 s31.

Review by board of section 147 of the Act

32 If the driver's licence of a driver has been suspended pursuant to section 147 of the Act, the driver may apply to the board for a review of that suspension, on the grounds that he or she does not meet the criteria for suspension, by:

- (a) applying in writing to the board on a form acceptable to the board; and
- (b) paying the fee prescribed in the fees regulations.

7 Jly 2006 cT-18.1 Reg 2 s32.

Review by board of section 151 suspensions

33 If the administrator has suspended the driver's licence of a new driver pursuant to section 151 of the Act, the new driver may apply to the board for a review of that suspension, on the grounds that he or she does not meet the criteria for suspension, by:

- (a) applying in writing to the board on a form acceptable to the board; and
- (b) paying the fee prescribed in the fees regulations.

7 Jly 2006 cT-18.1 Reg 2 s33.

Review by board of section 146.1, 146.2 or 150.1 prohibitions

34 If the driver's licence of a driver has been suspended pursuant to section 146.1, 146.2 or 150.1 of the Act, the driver may apply to the board for a review of that suspension, on the grounds that he or she does not meet the criteria for suspension, by:

- (a) applying in writing to the board on a form acceptable to the board; and
- (b) paying the fee prescribed in the fees regulations.

7 Jly 2006 cT-18.1 Reg 2 s34.

Review by board of section 153 suspensions

35 A person may apply for a review pursuant to section 153 of the Act by:

- (a) applying in writing to the board on a form acceptable to the board; and
- (b) paying the fee prescribed in the fees regulations.

7 Jly 2006 cT-18.1 Reg 2 s35.

Indefinite suspension offences

36 The prescribed offences pursuant to subsection 141(4) of the Act are:

- (a) an offence pursuant to clause 249(1)(a) of the *Criminal Code*;
- (b) an offence pursuant to section 220, 221, 236, subsection 249(3) or (4), section 249.1, section 252, clause 253(a) or (b), subsection 255(2) or (3) or subsection 259(4) of the *Criminal Code* committed by means of a motor vehicle;
- (c) an offence pursuant to subsection 254(5) of the *Criminal Code* for failure or refusal to comply with a demand made pursuant to section 254 of the *Criminal Code* where the offender, within the two hours preceding the offence, operated, or had the care or control of, a motor vehicle;
- (d) an offence pursuant to subsection 140(1) of the Act;
- (e) an offence pursuant to section 130 of the *National Defence Act* (Canada) for having contravened clause 253(a) or (b), subsection 254(5) or subsection 255(2) or (3) of the *Criminal Code*;
- (f) an offence pursuant to any law of any state of the United States of America that is substantially similar to sections 220, 221, 236, clause 249(1)(a), subsection 249(3) or (4), section 252, clause 253(a) or (b), subsection 254(5), subsection 255(2) or (3) or subsection 259(4) of the *Criminal Code*;
- (g) an offence pursuant to regulations made pursuant to the *Indian Act* (Canada) for having contravened subsection 140(1) of the Act.

7 Jly 2006 cT-18.1 Reg 2 s36; 7 Nov 2008 SR
101/2008 s7.

Application and waiver - education or treatment

37(1) If a driver is convicted of an offence listed in section 36 and his or her driver's licence is revoked, the driver is only eligible to apply for a driver's licence if:

- (a) the driver has served the full period of suspension, prohibition or disqualification required pursuant to section 141 of the Act; and
 - (b) the driver has been assessed by an addictions counsellor, and:
 - (i) has completed an education or recovery program recommended by the addictions counsellor, and, if a recovery program was recommended, has been assessed by an addictions counsellor to be at low risk for continued impaired driving; or
 - (ii) if no education or recovery program is recommended by the addictions counsellor, has successfully completed a program that the administrator may direct.
- (2) The administrator may waive any requirements set out in subsection (1) in the case of a disqualification arising out of a conviction for an offence:
- (a) pursuant to subsection 140(1) of the Act; or
 - (b) pursuant to the regulations made pursuant to the *Indian Act* (Canada) for having contravened subsection 140(1) of the Act.

7 Jly 2006 cT-18.1 Reg 2 s37.

Application - provisional licence

38(1) Notwithstanding section 37 and subject to subsections (2) to (6), a person who has been convicted of an offence listed in section 36 may apply to the administrator pursuant to section 156 of the Act for a driver's licence, and the administrator may issue a driver's licence to that person.

(2) An application pursuant to this section may be made:

(a) in the case of a disqualification described in clause 141(3)(a) of the Act, six months after the date of sentencing for the conviction that resulted in the disqualification;

(b) in the case of a disqualification described in clause 141(3)(b) of the Act, 18 months after the date of sentencing for the conviction that resulted in the disqualification;

(c) in the case of a disqualification described in clause 141(3)(c) of the Act, 30 months after the date of sentencing for the conviction that resulted in the disqualification;

(d) in the case of a disqualification described in clause 141(3)(d) of the Act, 30 months after the date of sentencing for the conviction that resulted in the disqualification; and

(e) in no case before the expiration of any order of prohibition made pursuant to section 259 of the *Criminal Code*.

(3) If a person is subject to more than one disqualification, the person shall not apply pursuant to this section until the expiration of the longest applicable period mentioned in subsection (2).

(4) A person is not eligible to be issued a driver's licence pursuant to this section unless he or she has been assessed by an addictions counsellor and:

(a) has completed an education program or a recovery program recommended by the addictions counsellor, and, if a recovery program has been recommended, is considered by an addictions counsellor to be at low risk for continued impaired driving; or

(b) if no education or recovery program is recommended by the addictions counsellor, has successfully completed a program that the administrator may direct.

(5) In the case of a disqualification arising out of a conviction of an offence pursuant to subsection 140(1) of the Act or an offence pursuant to regulations made pursuant to the *Indian Act* (Canada) for having contravened subsection 140(1) of the Act, the administrator may waive any of the requirements set out in subsection (4).

(6) A driver's licence issued pursuant to this section is a provisional driver's licence and remains a provisional driver's licence until the expiration of the longest period of disqualification mentioned in subsection 141(3) of the Act that would be applicable to the driver if the offence had not been prescribed pursuant to section 36 of these regulations.

Application - ignition interlock program licence

39(1) A person described in subsection (2) may apply to the administrator for a driver's licence, and the administrator may issue a driver's licence to that person.

(2) Subject to subsections (2.1) and (7), a person, other than a non-resident, may apply for a driver's licence pursuant to this section if:

- (a) the person has been convicted of an offence pursuant to section 253 or subsection 254(5) of the *Criminal Code*;
- (b) **Repealed.** 7 Nov 2008 SR 101/2008 s9.
- (c) the person agrees to participate in the ignition interlock program; and
- (d) the person pays the fee set out in the fees regulations.

(2.1) A person convicted of an offence pursuant to section 253 or subsection 254(5) of the *Criminal Code* is not eligible to participate in the ignition interlock program until the later of:

- (a) the expiry of the period for which the person is prohibited by the convicting court from operating a motor vehicle; and
- (b) the expiry of:
 - (i) in the case of a first offence pursuant to either of those provisions, three months after the date of sentencing for the conviction;
 - (ii) in the case of a second offence within the specified period, six months after the date of sentencing for the current conviction; or
 - (iii) in the case of a third or subsequent offence within the specified period, 12 months after the date of sentencing for the current conviction.

(3) Notwithstanding subsection (2), a person described in that subsection is not eligible to be issued a driver's licence pursuant to this section unless he or she has been assessed by an addictions counsellor and:

- (a) has completed an education program or a recovery program recommended by the addictions counsellor, and, if a recovery program has been recommended, is considered by an addictions counsellor to be at low risk for continued impaired driving; or
- (b) if no education or recovery program is recommended by the addictions counsellor, has successfully completed a program that the administrator may direct.

(4) On receipt of an application pursuant to this section, if the administrator is satisfied that the applicant is eligible and has complied with this section and that it is not contrary to the public interest, the administrator may issue a driver's licence to the applicant.

(5) Subject to section 40, a driver's licence issued pursuant to this section is a restricted driver's licence and remains a restricted driver's licence until the expiry of the greater of:

- (a) the period for which the holder of the licence is subject to a court order prohibiting the holder from operating a motor vehicle on any street, road, highway or other public place; and
- (b) the ignition interlock period for that holder as determined pursuant to subsection 40.1(2).

(5.1) If a person successfully completes the ignition interlock program, the person may:

- (a) if the person is not subject to any other suspension pursuant to the Act or these regulations, apply for a driver's licence pursuant to section 40 of the Act; or
- (b) if the person is subject to another suspension pursuant to the Act or these regulations, apply for a driver's licence pursuant to section 38 or 42 of these regulations.

(6) Every holder of a licence issued pursuant to this section is responsible to pay all costs associated with the installation, monitoring, servicing and removal of an ignition interlock device in each motor vehicle the holder operates.

(7) **Repealed.** 7 Nov 2008 SR 101/2008 s9.

7 Jly 2006 cT-18.1 Reg 2 s39; 2 Feb 2007 SR 2/
2007 s4; 7 Nov 2008 SR 101/2008 s9.

Ignition interlock program

40(1) Every holder of a licence issued pursuant to subsection 39(1) must comply with any restrictions that the administrator considers necessary and in the public interest.

(2) If the holder of a licence issued pursuant to subsection 39(1) does not comply with the restrictions mentioned in subsection (1), the administrator may:

- (a) revoke the restricted driver's licence and suspend the driver from holding or applying for a driver's licence; and
- (b) prohibit the driver from participating in the ignition interlock program.

(3) If a holder of a licence does not successfully complete the ignition interlock program or is prohibited from participating in the ignition interlock program pursuant to clause (2)(b):

- (a) the order of prohibition pursuant to the *Criminal Code* respecting the holder is reinstated and has full force and effect as at a date specified by the administrator in a written notice given to the holder; and
- (b) the holder is not eligible to apply for a licence until:
 - (i) the holder meets the requirements set out in section 37; or
 - (ii) the holder is eligible to apply for a driver's licence pursuant to section 38 or 42.

7 Jly 2006 cT-18.1 Reg 2 s40; 2 Feb 2007 SR 2/
2007 s5.

Calculation of ignition interlock period**40.1(1)** In this section:

- (a) **“contravention”** means, with respect to a person:
 - (i) the removal by the person or another person on that person's behalf of an ignition interlock device before the end of the ignition interlock period for that person as determined pursuant to subsection (2);
 - (ii) a failure to start the vehicle as a result of the person having a prohibited blood alcohol reading;
 - (iii) any attempt by the person or another person on that person's behalf to circumvent, tamper with or override an ignition interlock device on a vehicle to which the person has access;
 - (iv) any activation by the person or another person on that person's behalf of the emergency override in a non-emergency situation; or
 - (v) a failure of the person to report for the purposes of obtaining readings from, testing or servicing the ignition interlock device as required by the administrator;
- (b) **“conviction”** means a conviction for an offence pursuant to section 253 or subsection 254(5) of the *Criminal Code*.
- (2) Subject to subsections (3) to (7), the ignition interlock period for a person:
 - (a) who has not had another conviction within the specified period, is the greater of:
 - (i) one year from the date of sentencing for the conviction; and
 - (ii) the period of prohibition ordered by the convicting court pursuant to section 259 of the *Criminal Code*;
 - (b) who has had one other conviction within the specified period on or before the date of the second conviction, is the greater of:
 - (i) two years from the date of sentencing for the second conviction; and
 - (ii) the period of prohibition ordered by the convicting court pursuant to section 259 of the *Criminal Code*;
 - (c) who has had two or more other convictions within the specific period on or before the date of the third or subsequent conviction, is the greater of:
 - (i) three years from the date of sentencing for the last conviction; and
 - (ii) the period of prohibition ordered by the convicting court pursuant to section 259 of the *Criminal Code*.
- (3) If a person does not have three contravention-free months when the ignition interlock period for that person ends, the ignition interlock period is to be extended a further three months.

(4) If the ignition interlock period for a person is extended pursuant to subsection (3) and the person commits a further contravention within the three-month extension period, the ignition interlock period is:

(a) to be extended an additional three months from the date of the last contravention; and

(b) to continue to be extended for an additional three months each time there is a contravention or series of contraventions registered against the person in the last extension period.

(5) If a person does not successfully complete the ignition interlock program or is prohibited from completing the ignition interlock program pursuant to section 40, the ignition interlock period for that person is to be extended a further three months.

(6) If a person is subject to subsection (3), (4) or (5), that person may apply in writing to the administrator on a form approved by the administrator to waive the extension of the ignition interlock period.

(7) Notwithstanding any other provision of this section, on an application pursuant to subsection (6), if the administrator considers that circumstances surrounding the contravention indicate that a refusal to extend the person's ignition interlock period would not be contrary to the public interest, the administrator may waive the extension of the ignition interlock period for the person.

2 Feb 2007 SR 2/2007 s6; 7 Nov 2008 SR 101/
2008 s10.

Appeal to the board

40.2(1) A person may appeal the following decisions of the administrator to the board pursuant to section 29 of the Act:

(a) a decision to prohibit the person from participating in the ignition interlock program pursuant to section 39; or

(b) a decision to extend the ignition interlock period for that person in accordance with section 40.1.

(2) An appeal to the board:

(a) must be made within 21 days after written notification of the administrator's decision is served on the person; and

(b) must be in writing.

(3) The fee payable for a review is the amount set out in the fees regulations.

(4) On appeal the board may:

(a) in the case of an appeal of a decision of the administrator to prohibit a person from participating in the ignition interlock program:

(i) uphold the administrator's decision; or

(ii) reverse the administrator's decision and allow the person to participate in the ignition interlock program;

- (b) in the case of an appeal of a decision of the administrator to extend the ignition interlock period for a person:
 - (i) uphold the administrator's decision; or
 - (ii) reverse the administrator's decision and hold that the ignition interlock period is not to be extended for the person.
- (5) The board has no authority:
 - (a) to vary the terms and conditions that the administrator has imposed on a person participating in the ignition interlock program; or
 - (b) to alter, increase, shorten or vary the ignition interlock period set out in section 40.1.

2 Feb 2007 SR 2/2007 s6.

Prohibitions

- 41(1)** No driver to whom a restricted driver's licence is issued pursuant to section 39 shall:
- (a) operate a motor vehicle that is not equipped with an ignition interlock device; or
 - (b) solicit a breath sample from any person for the purpose of assisting the driver to:
 - (i) start a vehicle equipped with an ignition interlock device; or
 - (ii) keep a vehicle equipped with an ignition interlock device in motion.
- (2) No person shall tamper with an ignition interlock device.

7 Jly 2006 cT-18.1 Reg 2 s41.

Application - restricted licence

- 42(1)** Notwithstanding section 37 and subject to subsections (2) to (8), a person who has been convicted of an offence listed in section 36 may apply to the board for an order pursuant to section 156 of the Act authorizing the administrator to issue a driver's licence.
- (2) An application pursuant to this section may be made only after the expiration of any order of prohibition made pursuant to section 259 of the *Criminal Code*.
- (3) Before making his or her application, the applicant must:
- (a) have been assessed by an addictions counsellor; and
 - (b) either:
 - (i) have completed an education or a recovery program recommended by the addictions counsellor, and, if a recovery program has been recommended, be considered by an addictions counsellor to be at low risk for continued impaired driving; or
 - (ii) if no education or recovery program is recommended by the addictions counsellor, have successfully completed a program that the administrator may direct.

- (4) In the case of a disqualification arising out of a conviction for an offence pursuant to subsection 140(1) of the Act, or an offence pursuant to regulations made pursuant to the *Indian Act* (Canada) for having contravened subsection 140(1) of the Act, the administrator may waive any of the requirements set out in subsection (3).
- (5) An application to the board pursuant to subsection (1) shall:
- (a) be made on the form provided by the board;
 - (b) demonstrate to the board's satisfaction that the absence of any driving privileges would cause exceptional hardship to the applicant;
 - (c) demonstrate to the board's satisfaction that the issuance of a licence to the applicant would not be contrary to the public interest.
- (6) Each application pursuant to subsection (1) is to include a fee as set out in the fees regulations.
- (7) Every holder of a licence issued pursuant to this section is a new driver for the purposes of sections 149 to 151 and 154 of the Act.
- (8) No person may apply for a driver's licence pursuant to this section if the person has been issued a licence pursuant to section 39 until:
- (a) the person completes the ignition interlock program; or
 - (b) if the person does not successfully complete the ignition interlock program or is prohibited pursuant to section 40 from participating in the ignition interlock program, the ignition interlock period for the person has expired.

7 Jly 2006 cT-18.1 Reg 2 s42; 2 Feb 2007 SR 2/
2007 s7.

PART IV Photo Licensing

Interpretation of Part

43 In this Part:

- (a) **"long-term photo exemption card"** means a long-term photo exemption card issued pursuant to section 48;
- (b) **"photo exemption card"** means a short-term photo exemption card or a long-term photo exemption card;
- (c) **"qualified applicant"** means:
 - (i) in the case of an application for a short-term photo exemption card, an individual who meets the qualifications set out in subsection 45(2);
 - (ii) in the case of an application for a long-term photo exemption card, an individual who meets the qualifications set out in subsection 45(3);
- (d) **"short-term photo exemption card"** means a short-term photo exemption card issued pursuant to section 47.

7 Jly 2006 cT-18.1 Reg 2 s43.

Holders of photo exemption card are exempt from section 40 of the Act

44 For the purposes of section 40 of the Act, every holder of a valid photo exemption card is exempt from the requirement to be photographed and to hold a photo identification card.

7 Jly 2006 cT-18.1 Reg 2 s44.

Application for photo exemption card

45(1) Every qualified applicant who wishes to obtain a photo exemption card shall:

- (a) apply to the administrator on a form approved by the administrator; and
 - (b) supply the administrator with any information that the administrator reasonably requires to determine whether or not to issue to the applicant a photo exemption card.
- (2) The following individuals are qualified to apply for a short-term photo exemption card:
- (a) an individual who satisfies the administrator that he or she has a temporary illness;
 - (b) an individual who is not in Saskatchewan or who satisfies the administrator that he or she has a reasonable excuse that temporarily prevents him or her from obtaining a photo identification card.
- (3) The following individuals are qualified to apply for a long-term photo exemption card:
- (a) an individual who:
 - (i) satisfies the administrator that he or she has a facial disfigurement that distorts or obscures his or her facial features; and
 - (ii) provides the administrator with a letter from a duly qualified medical practitioner setting out the reasons supporting the individual's request for the photo exemption card;
 - (b) an individual who:
 - (i) satisfies the administrator that his or her religious beliefs do not allow him or her to be photographed; and
 - (ii) provides the administrator with a letter from a priest, religious leader or elder of the individual's church or religious organization setting out the reasons supporting the individual's request for the photo exemption card;
 - (c) an individual who satisfies the administrator that he or she permanently resides in one of the following communities or in one of the following postal code zones:
 - (i) Canoe Narrows or S0M 0K0;
 - (ii) Cole Bay or S0M 0M0;
 - (iii) Dillon or S0M 0S0;

- (iv) Patuanak or S0M 2H0;
- (v) Deschambault Lake or S0P 0C0;
- (vi) Pelican Narrows or S0P 0E0;
- (vii) Black Lake or S0J 0H0;
- (viii) Fond-du-lac or S0J 0W0;
- (ix) Pinehouse Lake or S0J 2B0;
- (x) Reindeer Lake or S0J 2L0;
- (xi) Stanley Mission or S0J 2P0;
- (xii) Stony Rapids or S0J 2R0;
- (xiii) Uranium City or S0J 2W0;
- (xiv) Sandy Bay or S0P 0G0;
- (xv) Kinoosao or S0P 0J0;
- (xvi) Molanosa or S0J 1W0;
- (xvii) Southend or S0J 2L0;
- (xviii) Wollaston Lake or S0J 3C0.

7 Jly 2006 cT-18.1 Reg 2 s45.

Issuance of photo exemption card

46 On receipt of an application, the administrator may issue the photo exemption card that is applied for if the administrator is satisfied that:

- (a) the application is complete;
- (b) the individual who applied for the photo exemption card is a qualified applicant; and
- (c) it is not contrary to the public interest to issue the photo exemption card.

7 Jly 2006 cT-18.1 Reg 2 s46.

Short-term photo exemption card

47(1) The administrator may issue a short-term photo exemption card to an individual who is a qualified applicant for that card.

(2) A short-term photo exemption card expires on the date that is stated on the card.

(3) For the purposes of subsection (2), the maximum period for which a short-term photo exemption card may be issued is one year.

7 Jly 2006 cT-18.1 Reg 2 s47.

Long-term photo exemption card

- 48(1) The administrator may issue a long-term photo exemption card to an individual who is a qualified applicant for that card.
- (2) A long-term photo exemption card expires on the date that is stated on the card.
- (3) For the purposes of subsection (2), the maximum period for which a long-term photo exemption card may be issued is five years.

7 Jly 2006 cT-18.1 Reg 2 s48.

Suspension or cancellation of photo exemption card

- 49(1) The administrator may suspend or cancel a photo exemption card if:

- (a) the holder of the photo exemption card has provided the administrator with any false or misleading information at any time with respect to the application for the card; or
 - (b) the photo exemption card was issued as a result of an administrative or clerical error or mistake.
- (2) Before the administrator takes any action pursuant to subsection (1), the administrator shall give the individual to whom the photo exemption card is issued:
- (a) written notice of the administrator's intention to suspend or cancel the photo exemption card, and the reasons for doing so; and
 - (b) an opportunity to make written representations to the administrator, within 30 days after the written notice mentioned in clause (a) is given, as to why the photo exemption card should not be suspended or cancelled.
- (3) The administrator is not required to give an oral hearing to any individual to whom a notice has been given pursuant to subsection (2).
- (4) After receiving the representations mentioned in subsection (3), the administrator shall provide a written decision and forward that written decision to the individual who made the representations.

7 Jly 2006 cT-18.1 Reg 2 s49.

PART V
Standard Field Sobriety Test

Prescribed field sobriety tests

- 50 For the purposes of sections 146.1, 146.2 and 150.1 of the Act, the following tests are prescribed as the standard field sobriety tests:

- (a) the horizontal gaze nystagmus test, in which a peace officer makes a number of observations of each eye of the test subject while the subject's eyes follow or look at a hand-held object that the officer is moving or holding steady;

(b) the walk-and-turn test, in which the peace officer requires the test subject to listen to instructions and then to take a specified number of heel-to-toe steps in a straight line, turn on one foot and take the same number of heel-to-toe steps back in a straight line, while counting the steps out loud and looking at his or her feet;

(c) the one-leg stand test, in which a peace officer requires the test subject to listen to instructions and then raise one of his or her feet and count out loud, while looking at the raised foot for a specific period timed by the peace officer.

7 Jly 2006 cT-18.1 Reg 2 s50.

Procedures for administering standard field sobriety test

51 If a peace officer requires a person to undergo the standard field sobriety tests, the peace officer must have the person go through each test set out in clause 50(a) to (c) to the extent that:

- (a) the person is able to perform those tests; and
- (b) circumstances permit.

7 Jly 2006 cT-18.1 Reg 2 s51.

Order of administering standard field sobriety test

52 If a peace officer requires a person to undergo the standard field sobriety tests, to the extent that circumstances permit, the subject should be asked to perform the tests in the following order:

- (a) the horizontal gaze nystagmus test;
- (b) the walk-and-turn test; and
- (c) the one-leg stand test.

7 Jly 2006 cT-18.1 Reg 2 s52.

Required training

53 No peace officer shall require a person to undergo a standard field sobriety test unless the peace officer is trained in administering the tests and assessing the test subject's performance.

7 Jly 2006 cT-18.1 Reg 2 s53.

Form with standard fee

54 For the purposes of section 146.1, 146.2 or 150.1 of the Act, a peace officer who suspends a driver for either a failure to pass a standard field sobriety test or failure to complete or undergo a standard field sobriety test shall complete the form set out in Part II of the Appendix.

7 Jly 2006 cT-18.1 Reg 2 s54.

Appendix

PART I

Notice and Order of Suspension, Disqualification or Prohibition [Section 54]

DRIVER INFORMATION		SGI NO.: _____	Police Report No.: _____
Name: _____ <small>(last / first / initial)</small>		Date of Birth: ____ / ____ / ____ <small>(year) (month) (day)</small>	
Address: _____ _____ _____		Sex: Male <input type="checkbox"/> Female <input type="checkbox"/> Telephone: (____) _____ <input type="checkbox"/> Sask. <input type="checkbox"/> Other _____ <small>(jurisdiction)</small>	
Driver's Licence No. _____			
Type of <input type="checkbox"/> Regular <input type="checkbox"/> Learner <input type="checkbox"/> Novice 1 <input type="checkbox"/> Novice 2			
Licence: <input type="checkbox"/> Restricted <input type="checkbox"/> Provisional <input type="checkbox"/> No type indicated			
Licence or permit seized: <input type="checkbox"/> Yes <input type="checkbox"/> No			
Vehicle: Make _____ Model _____ Year _____ Plate No. _____ Province _____			

NOTICE AND ORDER OF SUSPENSION, DISQUALIFICATION OR PROHIBITION	
On ____ / ____ / ____ at or about _____ hours at or near _____ <small>(year) (month) (day)</small>	
in Saskatchewan, in relation to the operation or having care or control of a motor vehicle within the meaning of <i>The Traffic Safety Act</i> , the undersigned Peace Officer:	
<i>(In the case of learner, novice 1, novice 2, restricted or provisional drivers)</i> A. has reason to believe: (i) by reason of analysis of your breath or blood; or (ii) by reason of reasonable grounds; <i>(observations noted on the back of the form)</i> that you, either as a learner, novice 1, novice 2, restricted or provisional driver, have consumed alcohol and, as a result, you are hereby, on behalf of the Administrator, immediately suspended from applying for or holding a driver's licence or permit in Saskatchewan and from operating a motor vehicle on a highway in Saskatchewan for 30 days. 30-day Suspension Start Date: ____ / ____ / ____ Time: ____ <small>(year) (month) (day) (24-hour clock)</small>	
<i>(In the case of experienced drivers)</i> B. has reason to believe: (i) by reason of analysis of your breath or blood; or (ii) by reason of reasonable grounds; <i>(observations noted on the back of the form)</i> that you, as an experienced driver, have consumed alcohol in such a quantity that the concentration of alcohol exceeds 40 milligrams of alcohol in 100 millilitres of blood and, as a result, you are hereby, on behalf of the Administrator, immediately suspended from operating a motor vehicle on a highway for 24 hours and applying for or holding a driver's licence or permit in Saskatchewan for 24 hours. 24-hour Suspension Start Date: ____ / ____ / ____ Time: ____ <small>(year) (month) (day) (24-hour clock)</small>	
<i>(In the case of any driver charged under section 253 or 254 of the Criminal Code)</i> C. has reason to believe by reason of analysis of your breath or blood that: (i) you have consumed alcohol in such quantity that the concentration of alcohol in your blood exceeds 80 milligrams of alcohol in 100 millilitres of blood; or (ii) you have either consumed alcohol or drugs and have failed to supply or refused to comply with a demand to either supply a sample of your breath or blood or to complete an evaluation to determine if your ability to operate a motor vehicle is impaired. and, as a result, you are hereby, on behalf of the Administrator, immediately suspended for 24 hours from operating a motor vehicle or from applying for or holding a driver's licence or permit in Saskatchewan for 24 hours and, subject to the issuance of a temporary driving permit, after the 24-hour period has expired are suspended from applying for or holding a driver's licence or permit in Saskatchewan and from operating a motor vehicle on a highway in Saskatchewan for 90 days. 24-hour Suspension Start Date: ____ / ____ / ____ Time: ____ <small>(year) (month) (day) (24-hour clock)</small>	
TEMPORARY DRIVING PERMIT <i>(issued only if the driver holds a valid driver's licence)</i>	
Subject to the terms and conditions set out in section 148 of <i>The Traffic Safety Act</i> , this Temporary Driving Permit is, on the expiry of the 24-hour Suspension, Disqualification or Prohibition, in effect for seven days.	
This temporary driver's licence is valid ____ / ____ / ____ Time: ____ until ____ / ____ / ____ Time: ____ <small>(year) (month) (day) (year) (month) (day)</small>	
or on the expiry of your driver's licence, whichever is earlier. 90-day Suspension Start Date: ____ / ____ / ____ Time: ____ <small>(year) (month) (day) (24-hour clock)</small>	
I acknowledge receipt of this Notice and Order of Suspension, Disqualification or Prohibition. _____ <small>(signature of driver)</small>	

_____ <small>(signature of peace officer)</small>	_____ <small>(detachment)</small>	_____ <small>(date)</small>
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PART II

Notice and Order of Suspension, Disqualification and Prohibition [Section 54]

DRIVER INFORMATION	SGI NO.: _____	Police Report No.: _____
Name: _____ <small>(last / first / initial)</small>	Date of Birth: ____ / ____ / ____ <small>(year) (month) (day)</small>	
Address: _____	Sex: Male <input type="checkbox"/> Female <input type="checkbox"/>	
Driver's Licence No. _____	Telephone: (____) _____ <input type="checkbox"/> Sask. <input type="checkbox"/> Other _____ <small>(jurisdiction)</small>	
Type of <input type="checkbox"/> Regular <input type="checkbox"/> Learner <input type="checkbox"/> Novice 1 <input type="checkbox"/> Novice 2 Licence: <input type="checkbox"/> Restricted <input type="checkbox"/> Provisional <input type="checkbox"/> No type indicated Licence or permit seized: <input type="checkbox"/> Yes <input type="checkbox"/> No		
Vehicle: Make _____ Model _____ Year _____ Plate No. _____ Province _____		

NOTICE AND ORDER OF SUSPENSION, DISQUALIFICATION OR PROHIBITION	
On ____ / ____ / ____ at or about _____ hours at or near _____ <small>(year) (month) (day)</small>	
in Saskatchewan, in relation to the operation or having care or control of a motor vehicle within the meaning of <i>The Traffic Safety Act</i> , the undersigned Peace Officer:	
<i>(In the case of learner, novice 1, novice 2, restricted or provisional drivers)</i>	
A. has reason to believe that you have consumed alcohol and having been required to undergo a field sobriety test you have: (i) ____ refused to undergo a field sobriety test; (ii) ____ failed to follow instructions regarding the field sobriety test; or (iii) ____ failed the field sobriety test. and as a result, you are hereby, on behalf of the Administrator, immediately suspended from operating a motor vehicle on a highway for 24 hours and applying for or holding a driver's licence or permit in Saskatchewan for 24 hours. 24-hour Suspension Start Date: ____ / ____ / ____ Time: ____ <small>(year) (month) (day) (24-hour clock)</small>	
<i>(In the case of experienced drivers)</i>	
B. has reason to believe that you have consumed alcohol in such a quantity that the concentration of alcohol in your blood exceeds 40 milligrams of alcohol in 100 millilitres of blood and having been required to undergo a field sobriety test you have: (i) ____ refused to undergo a field sobriety test; (ii) ____ failed to follow instructions regarding the field sobriety test; or (iii) ____ failed the field sobriety test. and as a result, you are hereby, on behalf of the Administrator, immediately suspended from operating a motor vehicle on a highway for 24 hours and applying for or holding a driver's licence or permit in Saskatchewan for 24 hours. 24-hour Suspension Start Date: ____ / ____ / ____ Time: ____ <small>(year) (month) (day) (24-hour clock)</small>	
<i>(In the case of any drivers)</i>	
C. has reason to believe that you have consumed a drug or substance that causes you to be unable to safely operate a vehicle and having been required to undergo a field sobriety test you have: (i) ____ refused to undergo a field sobriety test; (ii) ____ failed to follow instructions regarding the field sobriety test; or (iii) ____ failed the field sobriety test. and as a result, you are hereby, on behalf of the Administrator, immediately suspended from operating a motor vehicle on a highway for 24 hours and applying for or holding a driver's licence or permit in Saskatchewan for 24 hours. 24-hour Suspension Start Date: ____ / ____ / ____ Time: ____ <small>(year) (month) (day) (24-hour clock)</small>	
I acknowledge receipt of this Notice and Order of Suspension, Disqualification or Prohibition. _____ <small>(signature of driver) (date)</small>	
_____ <small>(signature of peace officer) (detachment) (date)</small>	

PART III
[Subclause 23(1)(c)(ii)]

Points

Motor Vehicle Accidents

A motor vehicle accident where:

- (a) loss or damage arises on account of which the insurer makes a payment of \$305 or more pursuant to the Act; and
- (b) subject to clause 2(b), a new driver is determined to be at least 50% at fault for the accident

6

Motor Vehicle Accidents

A motor vehicle accident where:

- (a) loss or damage arises on account of which the insurer makes a payment of \$305 or more pursuant to the Act; and
- (b) each driver involved in the motor vehicle accident is determined to be 50% at fault for the accident

3

Convictions pursuant to *The Traffic Safety Act*

A conviction registered against a driver for any of the following offences pursuant to *The Traffic Safety Act* or any offence pursuant to the law of any province or state or a bylaw of a municipal corporation or duly constituted authority in Canada or the United States of America that is substantially similar to the following offences:

Offence	Provision	Points
1 Driving a motor vehicle on a highway without an appropriate driver's licence	32(1)	1
2 Holding more than one licence	35(1)	1
3 Defacing or altering a driver's licence	35(2)(a)	1
4 Defacing or altering a photo identification card	35(2)(b)	1
5 Allowing another person to use licence	35(5)	1
6 Driving a motor vehicle in violation of a licence endorsement	38	1
7 Failing to produce a licence	39(1)	1
8 Producing another person's licence	39(2)	1
9 Driving an unregistered vehicle	57(1)	1
10 Unauthorized use of plate	59(1)	1
11 Deface or alter registration	59(2)	1
12 Failing to produce a certificate of registration	61	1
13 Using registration permit in prohibited manner	74(1)	1
14 Defacing or altering a registration permit	74(2)	1
15 Failing to properly display registration permit	74(3)	1
16 Driving while on a 24-hour suspension	140(3))	4
17 Driving while the administrator has refused to issue, suspended or cancelled a licence under the Act	140(5))	4
18 Failing to display a licence plate	192(1))	1
19 Displaying an unauthorized licence plate	192(3))	1
20 Defacing or altering a licence plate	192(4))	1

21	Failing to display a current validation sticker on plate	192(5)	1
22	Obstructing a licence plate	192(6)	1
23	Driving in excess of 80 kilometres per hour	199(1)(a)	1
24	Driving in excess of the maximum speed indicated by signs on highway or at entrance to park	199(1)(b)	1
25	Exceeding the posted speed by 50 kilometres or more	199(2)	4
26	Exceeding a speed that is reasonable and safe	199(3)	4
27	Driving at a speed that impedes traffic	199(4)	3
28	Exceeding the speed limit in a school zone	200(2)	3
29	Exceeding the speed in a speed zone marked by signs	201	1
30	Speeding in parks	202(1)(2)	1
31	Exceeding 60 kilometres per hour when passing a highway worker or flag person	203(1)	3
32	Failing to obey a flag person or peace officer	203(3)	3
33	Exceeding 60 kilometres per hour when passing a stopped emergency vehicle that has its emergency lights in operation	204(1)	3
34	Exceeding 60 kilometres per hour when passing a stopped tow truck that has its amber lights in operation	205(1)	3
35	Failing to obey traffic control device	208(2)	4
36	Failing to obey directions of a peace officer	208(3)	3
37	Stopping improperly on a highway	209(2)	1
38	Failing to sufficiently mark a stationary vehicle	209(3)(a), (b)	1
39	Tampering with flares or hazard lights	209(5)	1
40	Failing to obey a stop sign	209(6)(a)	4
41	Failing to obey a stop signal at a railway crossing	209(6)(b)	4
42	Failing to stop for a crossing guard	209(6)(c)	4
43	Bus transporting passengers failing to stop at a level railway crossing	209(7)(a)	4
44	Vehicle transporting goods and required to be placarded failing to stop at a level railway crossing	209(7)(b)	4
45	After stopping at a level crossing, proceeding while it is unsafe	209(8)	4
46	Failing to comply with the request of a peace officer	209.1(3)	3
47	Passing a school bus that has its safety lights in operation	212(2)	4
48	Failing to stop five metres from the rear of a school bus that has its safety lights and stop arm in operation	212(3)	4
49	Failing to stop five metres from the front of a school bus that has its safety lights and stop arm in operation	212(4)	4
50	Driving without due care and attention	213(1)	4
51	Driving without reasonable consideration of others	213(2)	4
52	Driving in a contest of speed or racing with another vehicle on the highway	214(1)	4
53	Driver performing an activity on a highway that is likely to distract, startle or interfere with other users of the road	214(2)	4

54	Failing keep right of the centre of the highway	217(1)(a)	1
55	Passing to the right of a vehicle	217(1)(b)	4
56	Passing at an intersection (same direction) when it is unsafe	217(3)	1
57	Moving, when it is unsafe, in front of a person or vehicle after passing	217(4)	1
58	Increasing speed when being overtaken	217(5)	3
59	Passing without a clear view of the highway	217(6)	1
60	Making a right turn from the wrong lane	218(1)	1
61	Making a left turn from the wrong lane	218(2)	1
62	Failing to yield the right of way to a vehicle on the right	219(1)	3
63	Failing to yield to right of way when making a left turn	219(3)	3
64	Failing to yield the right of way when entering on a provincial highway	219(4)	3
65	Failing to yield the right of way at a 'yield' sign	219(5)	3
66	Failing to yield the right of way on entering a highway from other than a highway	219(6)	3
67	After yielding the right of way, proceeding while it is unsafe	219(8)	3
68	Driving to the left of the centre of the highway	220(1)	1
69	Proceeding the wrong way on a one-way highway	221	3
70	Backing a vehicle on or onto a highway when it is unsafe	222	1
71	Failing to yield the right of way to pedestrians at a highway intersection or marked pedestrian crossing in the required manner	223(1)	3
72	Driver failing to stop the vehicle for a pedestrian at a marked pedestrian crossing in the required manner	223(1.1)	3
73	Passing a vehicle stopped for pedestrians	223(2)	3
74	Following too closely	225(1)	1
75	Failing to leave sufficient space when following	225(2)	1
76	Entering or leaving a controlled access highway except where the right to do so is indicated by a sign	226	4
77	Crossing a highway unlawfully	227	1
78	Changing lanes when it is unsafe	228(1)(a)	1
79	Crossing solid lines unlawfully to change lanes	228(1)(b)	1
80	Driving to the left of solid centre line	228(1)(c)	1
81	Driving motorcycle more than two abreast	228(1)(e)	1
82	Driving motorcycle beside a vehicle other than a motorcycle	228(1)(f)	1
83	Driving on the left-hand side of median	229(1)	4
85	Crossing a median unlawfully	229(2)	4
85	Driving without lights as prescribed in the regulations	230(1)	1
86	Failing to dim headlights when approaching	230(2)(a)	1
87	Failing to dim headlights when following	230(2)(b)	1

88	Failing to dim headlights when passing	230(2)(c)	1
89	Failing to dim headlights when being overtaken	230(2)(d)	1
90	Failing to dim headlights when stationary	230(4)	1
91	Failing to extinguish spot light	231	1
92	Failing to extinguish loading lamp	232	1
93	Using an amber beacon or flashing light when prohibited	233	1
94	Failing to use a signalling device to warn of the intention to turn, to stop or to abruptly reduce speed	234(1)	3
95	Driving contrary to a sign at an intersection with a green light	235(2)(a)	3
96	Failing to stop at a crosswalk against an amber light	235(3)(a)	3
97	Failing to yield the right of way to a pedestrian at a marked crosswalk displaying only an amber light	235(4)	3
98	Failing to stop at a red light at an intersection	235(5)(a)	4
99	Making a right turn at a red light when prohibited by a sign	235(5)(b)	3
100	Failing to stop at an intersection of two one-way streets	235(6)(a)	4
101	Making a left turn at a red light when prohibited by a sign	235(6)(b)	3
102	Failing to stop at a red light at a place other than an intersection	235(7)	1
103	Proceeding at an intersection in a direction not indicated by a green arrow	235(8)	3
104	Failing to yield at an intersection displaying a red light with a green arrow	235(9)	3
105	Failing to yield at a place other than an intersection displaying a red light with a green arrow	235(10)	3
106	Proceeding contrary to a green arrow	235(11)	3
107	Failing to obey a red flashing light, stopping at the wrong place or failing to stop or proceeding while it is unsafe to do so	235(13)	4
108	Failing to proceed cautiously at a flashing amber light	235(14)	3
109	Making a U-turn at an intersection with a traffic light	235(15)	1
110	Failing to yield the right of way to pedestrians at a 'walk' signal	237(2)(b)	3
111	Failing to yield to an emergency vehicle	238(9)	4
112	Permitting a person to hold on to a moving motor vehicle or attach a device	240(2)	1
113	Driving a commercial vehicle on a highway that is equipped with, contains or is carrying a radar warning device	242(2)(a)	3
114	Permitting a commercial vehicle to become or remain equipped with a radar warning device	242(2)(b)	3
115	Permitting a person to ride on the exterior part of a motor vehicle	244(1)	3
116	Permitting an over-crowded driving compartment	245(3)	3

117	Driving without clear view of highway to both the front and to both sides of the vehicle	246(1)	1
118	Failing to have a clear view to the rear	246(2)	1
119	Driving with an obstructed windshield or window	246(3)	1
120	Driver failing to wear a safety helmet on a motorcycle	247(1)	1
121	Driver failing to wear prescribed eye protection on a motorcycle without a windshield	247(3)	1
122	Driving a motorcycle side saddle	247(5)	1
123	Allowing a passenger under 16 years of age to ride without a helmet or eye protection	247(8)(a)	1
124	Allowing more than one passenger on a motorcycle	247(8)(b)	1
125	Allowing a passenger to ride in front of the motorcycle driver	247(8)(c)	1
126	Allowing a passenger under 16 years of age to ride side saddle	247(8)(d)	1
127	Allowing a passenger on a motorcycle not equipped for passengers	247(8)(e)	1
128	Allowing more than one person in a side car	247(8)(f)	1
129	Driver failing to wear a seat-belt assembly	248(1)	3
130	Driving a vehicle with an unrestrained passenger under 16 years of age	248(4) or (5)	3
131	Failure to report an accident	253(2) or (3)	4
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7 Nov 2008 SR 101/2008 s11.

PART VI

Repeal and Coming into Force

R.R.S. c.V-2.1 Reg 15 repealed

55 *The Driver Licensing and Suspension Regulations* are repealed.

7 Jly 2006 cT-18.1 Reg 2 s55.

Coming into force

56(1) Subject to subsections (2) to (4), these regulations come into force on the day on which section 1 of *The Traffic Safety Act* comes into force.(2) If these regulations are filed with the Registrar of Regulations after the day on which section 1 of *The Traffic Safety Act* comes into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

7 Jly 2006 cT-18.1 Reg 2 s56.

The Traffic Safety Act Fees Regulations

being

Chapter T-18.1 Reg 3 (effective July 1, 2006) as amended by
Saskatchewan Regulations 26/2008 and 38/2009.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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Class PV

12 If a vehicle is to be registered with the administrator as a Class PV vehicle, the registration fee:

- (a) in the case of a vehicle that operates at a gross vehicle weight exceeding 5 000 kilograms, is the fee determined in accordance with Table 4;
- (b) in the case of a vehicle other than one described in clause (a), is \$68; or
- (c) in the case of any vehicle of a model year of 1941 or earlier, is \$5.

7 Jly 2006 cT-18.1 Reg 3 s12.

Class LV

13 If a vehicle is to be registered with the administrator as a Class LV vehicle, the registration fee:

- (a) in the case of a motorcycle:
 - (i) with an engine capacity of 50 cubic centimetres or less, is \$34;
 - (ii) other than a motorcycle described in subclause (i), is \$50;
- (b) in the case of an industrial tracked vehicle, is \$50;
- (c) in the case of a vehicle of a model year of 1941 or earlier, is \$5;
- (d) in the case of a vehicle that operates at a gross vehicle weight exceeding 5 000 kilograms, other than a vehicle described in clause (a), (b) or (c), is the fee determined in accordance with Table 6; or
- (e) in the case of a vehicle other than one described in clauses (a) to (d), is \$68.

7 Jly 2006 cT-18.1 Reg 3 s13.

Class T

14 If a vehicle is registered with the administrator as a Class T vehicle without a registered gross vehicle weight, the registration fee is \$28.

7 Jly 2006 cT-18.1 Reg 3 s14.

Rebate of fees for certain green (fuel efficient or hybrid) vehicles

14.1(1) In this section and in section 14.2:

- (a) **“co-owner”** means any person who is the registered owner of a vehicle together with one or more individuals;
- (b) **“eligible green vehicle”** means an eligible vehicle as defined in Part III.2 of *The Automobile Accident Insurance (General) Regulations, 2002*;
- (c) **“eligible period”** means eligible period within the meaning of Part III.2 of *The Automobile Accident Insurance (General) Regulations, 2002*;
- (d) **“green vehicle rebate”** means a green vehicle rebate payable pursuant to Part III.2 of *The Automobile Accident Insurance (General) Regulations, 2002*;

(e) “**outstanding indebtedness**” means, with respect to a person, an indebtedness of that person that:

- (i) is outstanding on the date that a rebate is payable to that person; and
- (ii) is owed:

(A) to the insurer pursuant to *The Automobile Accident Insurance Act* or pursuant to any regulations made pursuant to that Act;

(B) to the administrator pursuant to a deductible finance agreement and that person has defaulted on a payment pursuant to that deductible finance agreement; or

(C) to the administrator for any fee or charge imposed on that person pursuant to the Act;

(f) “**owner’s certificate**” means an owner’s certificate as defined in *The Automobile Accident Insurance Act*;

(g) “**rebate**” means a rebate respecting registration fees in accordance with this section.

(2) Subject to subsections (3) to (6) and to section 14.2, if a vehicle to be registered with the administrator in accordance with this Division is an eligible green vehicle and the person registering the eligible green vehicle is entitled to a green vehicle rebate for the eligible green vehicle, the administrator shall pay a rebate to the person who is eligible for the green vehicle rebate.

(3) **Repealed.** 24 Apr 2009 SR 38/2009 s2.

(4) The amount of a rebate payable to a person with respect to each eligible green vehicle registered in the person’s name during the eligible period is the amount PR calculated in accordance with the following formula:

$$PR = RF \times 20\%$$

where RF is the registration fee for each eligible green vehicle registered in the person’s name during the eligible period.

(5) If the person did not hold an owner’s certificate for an eligible green vehicle for every day in the eligible period:

(a) the insurer shall prorate the amount of the rebate payable for the eligible vehicle based on the number of days the eligible insured held that owner’s certificate in the eligible period; and

(b) the eligible insured is eligible to be paid only the prorated rebate with respect to that eligible vehicle.

(6) A person is not entitled to the rebate in accordance with this section if the combined amount of the green vehicle rebate and the rebate in accordance with this section to which that person is otherwise eligible is less than \$5.

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Under *The Wildlife Act, 1998*, c.W-13.12

W-13.12 Reg 2 *The Firearm Safety/Hunter Education Regulations, 2009*

W-13.12 Reg 1 *The Open Seasons Game Regulations, 2004*

Under *The Wildlife Habitat Protection Act*, c.W-13.2

W-13.2 Reg 2 *The Treaty Land Entitlement Withdrawal Regulations*

W-13.2 Reg 3 *The Wildlife Habitat Lands Designation Regulations*

W-13.2 Reg 1 *The Wildlife Habitat Lands Disposition and Alteration Regulations*

Under *The Wills Act, 1996/Loi de 1996 sur les testaments*, c.W-14.1/W-14.1

W-14.1 Reg 1/
W-14.1 Règl 1 *The International Wills Regulations, 1997/Règlement de 1997 sur les testaments internationaux*

Under *The Workers' Compensation Act, 1979*, c.W-17.1

W-17.1 Reg 2 *The Workers' Compensation Act Exclusion Regulations*

W-17.1 Reg 1 *The Workers' Compensation General Regulations, 1985*

Y

Under *The Youth Drug Detoxification and Stabilization Act*, c.Y-1.1

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Y-1.1 Reg 2	<i>The Youth Drug Detoxification and Stabilization (Prescribed Substances) Regulations</i>

Alphabetical Index to the Regulations of Saskatchewan



The Vehicle Equipment Regulations, 1987

being

Chapter V-2.1 Reg 10 (consult Table of Saskatchewan Regulations for effective dates) as amended by Saskatchewan Regulations 20/93, 15/96, 86/96, 10/98, 81/98, 100/2003 and 43/2009.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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Appendix

CHAPTER V-2.1 REG 10
The Vehicle Administration Act

PART I
Title and Interpretation

Title

- 1** These regulations may be cited as *The Vehicle Equipment Regulations, 1987*.

Interpretation

- 2(1)** In these regulations:

- (a) **"Act"** means *The Vehicle Administration Act*;
- (b) **"all-terrain vehicle"** means a self-propelled vehicle that:
 - (i) is designed primarily for the movement of people and goods on unprepared surfaces; and
 - (ii) has tracks or wheels in contact with the ground;and includes a restricted use motorcycle, a minibike and an all-terrain cycle, but does not include a snowmobile as defined in *The Snowmobile Act*, an agricultural implement or a special mobile machine as defined in *The Highway Traffic Act*, or any vehicle registered under the Act;
- (c) **"ambulance"** means a vehicle licensed as an ambulance pursuant to *The Road Ambulance Regulations*;
- (d) **"ANSI"** or **"AS"** means the American National Standards Institute;
- (e) **"beacon"** means a lamp that emits a rotating or flashing light that is visible from any horizontal angle around the lamp;
- (e.1) **"BSI"** means British Standards Institute;
- (f) **"bus"** means a vehicle that is designed and used primarily for the movement of people and their personal belongings on a highway and that is over 2060 millimetres in width;
- (g) **"car"** means a vehicle that is designed and used primarily for the movement of people and their belongings on a highway and that:
 - (i) has a GVWR of less than 2700 kilograms;
 - (ii) has a seating capacity of not more than 10; and
 - (iii) is 2060 millimetres or less in width;
- (h) **"chassis cab"** means a vehicle that has a chassis that is capable of being driven, and that is designed to have added, by a secondary manufacturer, a cab and:
 - (i) a passenger-carrying or cargo-carrying body;

- (ii) a fifth wheel; or
- (iii) a work performing structure other than a fifth-wheel coupling;
- (i) **"CCA"** means continuous cranking amperes;
- (j) **"CMVTSS"** means Canadian Motor Vehicle Tire Safety Standards, as amended from time to time;
- (k) **"CMVSS"** means the Canada Motor Vehicle Safety Standards, as amended from time to time;
- (l) **"converter dolly"** means an axle unit with a fifth wheel assembly used to convert a semi-trailer to a trailer;
- (m) **"CSA"** means the Canadian Standards Association;
- (n) **"dangerous goods"** means dangerous goods as defined in the *Transportation of Dangerous Goods Act* (Canada);
- (o) **"DOT"** means United States Department of Transport;
- (p) **"emergency light"** means a red, blue or white beacon or flashing lamp;
- (q) **"emergency vehicle"** means any of the following vehicles:
 - (i) a vehicle that is used for the transportation of a peace officer in the performance of the peace officer's duties;
 - (ii) a vehicle that is used for the transportation of a member of a fire department in response to an emergency;
 - (iii) a vehicle that is an ambulance while being used in response to an emergency;
 - (iv) a vehicle that is a vehicle, or a member of a class of vehicles, designated by the board as an emergency vehicle and that is being used in response to an emergency;
 - (v) a vehicle that:
 - (A) is designated by a municipality in a bylaw pursuant to *The Traffic Safety Act* as a vehicle that may be used as an emergency vehicle by a volunteer firefighter or first responder; and
 - (B) is being used in response to an emergency and is operated by a person who meets the requirements prescribed pursuant to *The Traffic Safety Act*;
- (r) **"farm equipment"** means any mobile equipment used for the purpose of farming, but does not include any vehicle registered under the Act;

(s) **"flare"** means a device that is visible from a distance of 150 metres on a dark, clear night and consists of:

(i) a reflector that:

(A) is mounted on a stand; and

(B) emits a red reflection that is visible when illuminated by a type A vehicle headlamp at a distance of 150 metres;

(ii) an electric lantern that continuously emits a red light for not less than 12 hours; or

(iii) a reflective red advance warning triangle;

(s.1) **"flashing lamp"** means a lamp that emits a rotating or flashing light that is visible from the front or from the front and rear of the vehicle, but does not include head lamps, hazard lamps or turn signal lamps;

(t) **"FM"** means Factory Mutual Insurance Company;

(u) **"GAWR"** means the gross axle weight rating of the axle as established by the manufacturer of the vehicle;

(v) **"GVW"** or **"gross vehicle weight"** means the weight of the vehicle and its load;

(w) **"GVWR"** or **"gross vehicle weight rating"** means the combined weight of the vehicle and its load at which the manufacturer or the administrator states the vehicle can be operated safely and continuously;

(x) **"LPG"** means liquified petroleum gas;

(y) **"label of compliance"** means the label authorized by the Government of Canada to be affixed to a vehicle that complies with the CMVSS at the time of manufacture;

(z) **"limited speed motorcycle"** means a motorcycle that travels on two wheels and has a maximum attainable speed of not more than 70 kilometres per hour;

(z.1) **"loading lamp"** means a fixed lamp that emits a white light and that provides illumination behind a vehicle for the purpose of loading and unloading cargo and for coupling and uncoupling a trailer

(aa) **"mobile home dolly"** means a vehicle that is designed to be towed for the purpose of transporting mobile homes;

(bb) **"modified vintage vehicle"** means a motor vehicle that:

(i) is designed for the transportation of goods or people on highways;

(ii) resembles a vehicle manufactured before 1958; and

(iii) has been modified or reconstructed to improve its safety, handling or performance;

(cc) **"motor home"** means a motor vehicle that is registered with the administrator as a private passenger vehicle, an integral section of which is designed for personal habitation, and is equipped with one or more permanently attached beds together with one or more of:

- (i) a permanently attached refrigerator;
- (ii) a permanently attached stove; or
- (iii) permanently attached washing and toilet facilities;

and includes a bus or a truck that has been so converted and is so registered;

(dd) **"motorcycle"** means a vehicle that:

- (i) has steering handlebars completely constrained from rotating in relation to the axle of one wheel in contact with the ground;
- (ii) is designed to travel on not more than three wheels in contact with the ground;
- (iii) has a minimum seat height unladen of 650 millimetres or greater;
- (iv) has a wheel rim diameter size of 250 millimetres or greater;
- (v) has a wheel base of 1040 millimetres or greater; and
- (vi) in the case of a three wheel vehicle does not have as an integral part of the vehicle an enclosure around the occupants;

but does not include a restricted use motorcycle, competition motorcycle or minibike;

(ee) **"multipurpose passenger vehicle"** means a vehicle having a designated seating capacity of 10 or less that is constructed either on a truck chassis or with special features for occasional off-road operation, but does not include an air cushion vehicle, all-terrain vehicle, golf-cart, passenger car or truck;

(ff) **"power unit"** means a vehicle designed and used for towing a semi-trailer on a highway with a substantial part of the weight of the semi-trailer and its load carried by the power unit;

(gg) **"recreational trailer"** means a vehicle designed to be towed on a highway and used for the purpose of personal accommodation;

(hh) **"SAE"** means Society of Automotive Engineers;

(ii) **"school bus"** means a bus or van operated primarily for the purpose of transporting people to school and registered as Class PS under the Act;

(jj) **"semi-trailer"** means a vehicle that is towed on a highway by a power unit with a substantial part of the weight of the semi-trailer and its load carried by the power unit;

(kk) **"slow moving vehicle warning device"** means:

- (i) a sign in the form and dimensions illustrated in Form A of the Appendix; or
- (ii) a sign larger than the sign referred to in subclause (i) with all dimensions increased proportionately;

(kk.1) **"Snell"** means Snell Memorial Foundation;

(kk.11) **"snowmobile"** means a snowmobile as defined in *The Snowmobile Act*;

(kk.2) **"spotlamp"** means an articulated lamp that is attached to a vehicle that is capable of projecting a white light on an object and that is capable of being directed from within or outside of the vehicle;

(kk.3) **"stationary lamp"** means a forward facing white lamp mounted above a standard headlamp system that is activated by a switch in the vehicle that is independent of the headlamp switch and electrical circuit;

(ll) **"tow dolly"** means a trailer that is designed exclusively to carry one axle of a motor vehicle for the purpose of towing that motor vehicle behind another motor vehicle;

(mm) **"trailer"** means a vehicle that is towed on a highway by another vehicle but does not include a towed motor vehicle or a semi-trailer;

(nn) **"truck"** means a self-propelled vehicle designed for use on a highway:

- (i) for the transportation of goods; or
- (ii) on which a work performing structure has been permanently mounted;

(oo) **"type A vehicle"** means a self-propelled vehicle designed for operation on highways and includes a car, truck, van, motorhome, multipurpose passenger vehicle, power unit and bus as defined in CMVSS and type A-1 to type A-3 vehicles, but does not include a vintage vehicle, all-terrain vehicle, motorcycle or special mobile machine;

(pp) **"type A-1 vehicle"** means a type A vehicle that is a car, truck, van, multipurpose passenger vehicle or truck that is 2060 millimetres or less in width;

(qq) **"type A-2 vehicle"** means a type A vehicle that is a bus, power unit, chassis cab or truck that is more than 2060 millimetres width;

(rr) **"type A-3 vehicle"** means a type A vehicle that is registered with the administrator as a school bus and is designed and used primarily for the transportation of school children;

(ss) **"type M vehicle"** means a motorcycle;

(ss.1) **"type S vehicle"** means a snowmobile;

(tt) **"type T vehicle"** means a trailer, tow dolly, semi-trailer or semi-trailer converted to a trailer by the use of a converter dolly;

- (uu) **“type T-1 vehicle”** means a type T vehicle not equipped with air brakes;
- (vv) **“type T-2 vehicle”** means a type T vehicle equipped with air brakes;
- (ww) **“type T-3 vehicle”** means a tow dolly;
- (xx) **“type V vehicle”** means a vintage vehicle;
- (yy) **“UL”** means Underwriters Laboratories Incorporated;
- (zz) **“ULC”** means Underwriters Laboratory of Canada Incorporated;
- (aaa) **“van”** means a self-propelled vehicle of 2060 millimetres or less in width designed so that:

- (i) the cargo or passenger section and operator’s compartment are built as one; and

- (ii) the vehicle may be used for transportation of people or goods on a highway;

- (bbb) **“vintage vehicle”** means a motor vehicle:

- (i) that was designed for the transportation of goods or people on highways;

- (ii) whose model year predates the current calendar year by 30 years or more;

- (iii) that, to the extent practicable, has been restored or maintained to the original manufacturer’s specifications;

but does not include a modified vintage vehicle;

- (ccc) **“work area”** means that section of a highway between a sign warning motorists that highway construction is in progress and a sign indicating that the construction has been passed;

(2) A reference to CMVSS by number is a reference to the section of the *Motor Vehicle Safety Regulations* (Canada), as amended from time to time, that bears that number.

(3) For the purposes of these regulations, the metric measurements in Table 1 of the Appendix are deemed to be the equivalent of the Canadian measurements shown in that Table.

PART II
General Prohibitions and Requirements

CMVSS

3 Every vehicle that is manufactured on or after January 1, 1986 and registered pursuant to the Act for highway use shall comply with the CMVSS at the time of manufacture and shall bear a label of compliance, or shall be approved by the administrator.

4 Sep 87 cV-2.1 Reg 10 s3.

CSA

4 Every motor home and recreational trailer registered under the Act and every slide-in camper mounted on a vehicle registered under the Act shall meet the requirements of section 3 and:

- (a) if the motor home, trailer or slide-in camper was manufactured in 1975, comply with CSA Z240 - 1975;
- (b) if the motor home, vehicle or slide-in camper was manufactured after 1975, comply with the subsequent issue of CSA Z240 that was in effect at the time of manufacture;
- (c) bear the CSA label to indicate compliance with that standard; or
- (d) have been approved by the administrator.

4 Sep 87 cV-2.1 Reg 10 s4.

Emergency lights and sirens

5 No vehicle other than an emergency vehicle shall be equipped with an emergency light or a siren.

4 Sep 87 cV-2.1 Reg 10 s5.

Prohibited lamps

6 Except where otherwise permitted or required in these regulations or permitted by the administrator, no vehicle driven on a highway shall be equipped with:

- (a) a lamp that emits a white light facing to the rear;
- (b) a lamp that emits a red light facing to the front;
- (c) a lamp that emits a blue or green light;
- (d) a white or blue flashing lamp; or
- (e) any additional lamp or equipment that impairs the effectiveness of the lamps required by these regulations.

4 Sep 87 cV-2.1 Reg 10 s6.

Special equipment for certain vehicles

7(1) A police vehicle may be fitted with the following equipment:

- (a) one or more red beacons mounted on the left side of the vehicle;
- (b) one or more blue beacons mounted on the right side of the vehicle;
- (c) one or more red flashing lamps mounted on the left side of the vehicle facing front and rear;
- (d) one or more blue flashing lamps mounted on the right side of the vehicle facing front and rear;
- (e) a red or combination of a red and blue beacon or flashing lamp mounted on the dash or roof of the vehicle;
- (f) one or more stationary lamps;
- (g) one or more amber flashing lamps;
- (h) a siren.

(2) An ambulance may be fitted with the following equipment:

- (a) one or more red beacons;
- (b) one or more white beacons;
- (c) one or more red flashing lamps mounted on the front, rear and sides of the vehicle;
- (d) one or more white flashing lamps mounted on the front, rear and sides of the vehicle;
- (e) one or more stationary lamps;
- (f) one or more amber flashing lamps;
- (g) a siren.

(3) A fire-fighting vehicle may be fitted with the following equipment:

- (a) one or more red beacons;
- (b) one or more red flashing lamps mounted on the front, rear and sides of the vehicle;
- (c) a red beacon or flashing lamp mounted on the dash of the vehicle;
- (d) one or more stationary lamps;
- (e) one or more amber flashing lamps;
- (f) a siren.

(4) A vehicle approved as an emergency vehicle by the Highway Traffic Board may be fitted with the following equipment:

- (a) one or more red beacons;
- (b) one or more red flashing lamps mounted on the front, rear and sides of the vehicle;
- (c) a red beacon or flashing lamp mounted on the dash of the vehicle;
- (d) one or more stationary lamps;
- (e) one or more amber flashing lamps;
- (f) a siren.

(4.1) Subject to subsection (4.2), an emergency vehicle within the meaning of subclause 2(1)(q)(v) may be fitted with the following equipment:

- (a) a red beacon or red flashing light that:
 - (i) meets SAE standard J845 or J1318 class 1 requirements; and
 - (ii) is mounted on the dash, front or roof of the emergency vehicle; and
- (b) a siren that meets SAE standard J1849.

(4.2) A person operating an emergency vehicle within the meaning of subclause 2(1)(q)(v) must remove, or cover with an opaque cover, the red beacon or red flashing light mentioned in clause (4.1)(a) when that emergency vehicle is not being used in response to an emergency.

(5) A type A vehicle that is a truck may be fitted with rear-facing loading lamps that emit a white light.

(6) A type A vehicle may be fitted with an articulated spot lamp that emits a white light to the rear.

(7) A tow truck is to be fitted with one or more amber beacons.

(8) A service truck, pilot car or vehicle creating a hazard on the highway may be fitted with:

- (a) one or more amber beacons; or
- (b) one or more amber flashing lamps.

(9) A vintage or modified vintage vehicle may have a blue lens 625 square millimetres or less as part of the tail-lamp assembly.

Snow plows and highway maintenance vehicles

8 A highway maintenance or snow removal vehicle operated on a highway shall be fitted with one or more amber beacons that emits a light that is visible from 125 metres on a clear night.

4 Sep 87 cV-2.1 Reg 10 s8.

School buses

9 No vehicle, other than one that is registered as class PS or a bus registered as class PB which transports school children, shall:

- (a) be painted the colour known as "National School Bus Chrome";
- (b) have on it the words "School bus" or "Do not pass when signals flashing";
or
- (c) have on it a stop arm described in section 91.

4 Sep 87 cV-2.1 Reg 10 s9.

Slow moving vehicles

10(1) Subject to subsection (2), a vehicle or combination of vehicles that is not capable of maintaining a speed of at least 40 kilometres per hour shall carry a slow moving vehicle warning device:

- (a) at the rear; or
- (b) in the case of a combination of vehicles, at the rear of the last vehicle of the combination;

as near to the centre as practicable with one side parallel to and not less than 900 millimetres nor more than 1,500 millimetres from the ground.

(2) A vehicle registered with the administrator that, because of load, operating conditions or impairment of the vehicle, operates at 40 kilometres per hour or less on a highway with a speed limit exceeding 50 kilometres per hour may, instead of carrying a slow moving vehicle warning device, operate with:

- (a) hazard warning lamps; or
- (b) an amber beacon.

(3) This section does not apply to construction or maintenance equipment while engaged in actual construction or maintenance work on a highway in a work area.

(4) A slow moving vehicle warning device shall not be displayed on a vehicle travelling at a speed greater than 40 kilometres per hour.

4 Sep 87 cV-2.1 Reg 10 s10.

Overdimensional signs

11(1) Where pursuant to *The Highways and Transportation Act* an overdimensional sign is required for a power unit or a truck, the sign shall be in the form and of the dimensions illustrated in Form B of the Appendix.

(2) Where pursuant to *The Highways and Transportation Act* an overdimensional sign is required for a pilot car, the sign shall be in the form and of the dimensions illustrated in Form C of the Appendix.

(3) The overdimensional sign for the rear of the load shall be the same as that for the power unit.

(4) Where the vehicle carrying the overdimensional load is operated at night:

(a) the sign on the front of the power unit shall be reflectorized;

(b) the sign on the rear of the load shall be reflectorized and have four clear lens beehive lamps attached and spaced for even lighting of the sign and be directly visible to traffic.

(5) A "WIDE LOAD" or "LONG LOAD" sign, as the case may require, may be used instead of the overdimensional sign.

4 Sep 87 cV-2.1 Reg 10 s11.

Hydraulic brake fluid

12(1) The brake fluid of every vehicle equipped with hydraulic brakes shall conform to the specifications and requirements of CMVSS 116.

(2) No person shall offer for sale brake fluid unless the container bears the words "Motor Vehicle Brake Fluid SAE J1702", "SAE J1703", "DOT 3", "DOT 4", "DOT 5" or "CMVSS 116".

4 Sep 87 cV-2.1 Reg 10 s12.

LPG Containers

13 Where a vehicle is equipped with an auxiliary LPG system for cooking, refrigeration or heating, the gas bottle shall be securely attached to the vehicle and:

(a) where it is located inside the occupant's compartment, shall be in a separate enclosed area vented at the lowest point to the outside;

(b) where it is located at the side or the rear of the outside of the vehicle, shall be protected by a bumper or other protective device and shall not extend beyond the side of the vehicle.

4 Sep 87 cV-2.1 Reg 10 s13.

PART III
Type A Vehicles

Application of Part

- 14(1) The requirements of this Part apply only to type A vehicles.
- (2) Every type A vehicle driven on a highway shall be equipped in accordance with this Part.
- (3) Notwithstanding subsection (2), the administrator may approve for use on a highway a type A vehicle that does not comply with this Part.

4 Sep 87 cV-2.1 Reg 10 s14.

Throttle return

- 15(1) The vehicle shall have a throttle return device that returns the throttle to the idle position:
- (a) on release of the driver control; and
- (b) in the case of a vehicle manufactured after January 1, 1974, on separation or disconnection of any part of the throttle control linkage.
- (2) Subsection (1) does not prevent the installation or use of a cruise control or hand throttle control for controlling throttle position.

4 Sep 87 cV-2.1 Reg 10 s15.

Fuel system

- 16(1) The fuel tank, fuel filler pipe and fuel lines of the vehicle shall be secure and free from leaks.
- (2) The fuel filler pipe shall:
- (a) be positioned so that, when the fuel tank is being filled, spillage from the filler neck is prevented from contacting any part of the exhaust or electrical system; and
- (b) have a cap or closing device that prevents spillage and release of vapours.
- (3) In the case of a vehicle manufactured after January 1, 1968, the entrance to the fuel filler pipe shall be outside the cargo and passenger compartments.
- (4) Subsection (3) does not apply to the fuel filler of a pressurized fuel tank.
- (5) The fuel lines shall be constructed of steel tubing or other material suitable for fuel transfer.

4 Sep 87 cV-2.1 Reg 10 s16.

Exhaust system

17 The exhaust system of the vehicle shall:

- (a) be securely mounted and free from abnormal leaks;
- (b) terminate beyond a point 100 millimetres from the perimeter of the passenger compartment or trunk;
- (c) release the exhaust in the general direction away from the vehicle; and
- (d) be not closer than 51.20 millimetres to any fuel, brake or electrical component unless protected by heat shielding.

4 Sep 87 cV-2.1 Reg 10 s17.

Muffler

18 The vehicle shall have a muffler that effectively reduces combustion noise.

4 Sep 87 cV-2.1 Reg 10 s18.

Transmission

19(1) If the vehicle is fitted with a manual transmission with more than three forward gears, the shift pattern shall be displayed within view of the driver.

(2) If the vehicle is a type A-1 vehicle fitted with an automatic transmission, the vehicle shall have an ignition interlock that prevents the engine from being started when the transmission is set in any position other than neutral or park.

4 Sep 87 cV-2.1 Reg 10 s19.

Load rating to be indicated

20 If the vehicle was manufactured after January 1, 1978, it shall have a plate or tag permanently attached to the left door post of the vehicle indicating the GAWR of each axle.

4 Sep 87 cV-2.1 Reg 10 s20.

Suspension system

21(1) The suspension system of the vehicle shall:

- (a) in the case of a two axle vehicle, distribute the weight of the vehicle and its load so that no more than 75% of the total weight is carried on one axle;
- (b) not have broken or welded leaf or coil springs;
- (c) not have loose, bent, cracked, broken or disconnected U-bolts, centre bolts, mounting shackles, stabilizers, radius rods or equalizers; and
- (d) have a bump pad or other secondary device that prevents the frame or body from contacting the tire or wheel in the event of failure of any component of the primary suspension system.

- (2) In the case of a type A-1 vehicle, the suspension system shall:
- (a) prevent any part of the vehicle other than the tires from contacting the ground when one tire is flat;
 - (b) have spring shackles that are not longer than those specified by the vehicle manufacturer; and
 - (c) have at least one functional damping device or shock absorber for each wheel.

4 Sep 87 cV-2.1 Reg 10 s21.

Brake system

22(1) The vehicle shall have a brake system that consists of a service brake and a parking brake.

- (2) The service and parking brake systems shall:
- (a) have separate means of application; and
 - (b) be constructed so that failure of any component of one system will not prevent the application of brakes by the other system on at least one wheel on opposite sides of the vehicle.
- (3) The mechanical components of the brake system shall be secure, functional and not misaligned, broken or excessively worn.
- (4) The brake linings and pads shall not be contaminated by petroleum products or be loose or broken.
- (5) The brake linings and pads shall not be worn beyond the lesser of the wear limit recommended by the manufacturer or in excess of:
- (a) 0.80 millimetres above rivet or bolt head when measured at the crown of rivetted shoes of drums 280 millimetres or less in diameter;
 - (b) 0.80 millimetres above the shoe when measured at the crown of bonded shoes of drums 280 millimetres or less in diameter;
 - (c) 1.60 millimetres above the rivet or bolt head when measured at the crown of rivetted shoes of drums over 280 millimetres in diameter;
 - (d) 1.60 millimetres above the shoe when measured at the crown of bonded shoes of drums over 280 millimetres in diameter; or
 - (e) 0.80 millimetres above the rivets or caliper if bonded.
- (6) The brake drums or rotors shall not be worn beyond the lesser of the wear limit recommended by the manufacturer and:
- (a) 2.25 millimetres beyond the original diameter in the case of drums less than 280 millimetres in diameter;
 - (b) 3.00 millimetres beyond the original diameter in case of drums 280 millimetres to 320 millimetres in diameter;
 - (c) 4.70 millimetres beyond the original diameter in the case of drums more than 320 millimetres in diameter;

- (d) 2.25 millimetres less than the original thickness in the case of rotors less than 305 millimetres in diameter; or
 - (e) 3.00 millimetres than the original thickness in the case of the rotors 305 millimetres in diameter or more.
- (7) The brake drums or rotors shall not have not been machined beyond the limit recommended by the manufacturer as marked on the rotor or drum or:
- (a) 1.50 millimetres in the case of drums 280 millimetres in diameter or less;
 - (b) 2.25 millimetres in the case of drums more than 280 millimetres but not more than 320 millimetres in diameter;
 - (c) 3.00 millimetres in the case of drums more than 320 millimetres in diameter;
 - (d) 1.50 millimetres in the case of a rotor with a diameter of 305 millimetres or less; or
 - (e) 2.25 millimetres in the case of rotor over 305 millimetres in diameter.
- (8) The means of application of the parking brake of a vehicle shall permit the immediate reapplication of the parking brake when the parking brake is released.
- (9) The parking brake shall hold the vehicle on a 15% grade with the vehicle facing either up or down the grade while fully loaded.
- (10) The service brake shall:
- (a) apply brakes to all wheels; and
 - (b) be adjusted so that it applies braking as nearly equally as practicable to the wheels on the opposite ends of the same axle.
- (11) Notwithstanding clause (10)(a), the service brake is not required to apply brakes to:
- (a) the front wheels of a power unit, in the case of a power unit that has brakes on two drive axles; and
 - (b) the wheels of a tag axle, in the case of a truck with a tag axle, if the tag axle was installed on the truck before January 1, 1987.
- (12) The means of application of the service brake shall be a foot pedal but, in the case of a vehicle equipped for a handicapped driver, the means of application may be a hand control.
- (13) The means of application of the service brake shall be installed so that it can be operated from the driver's seat.
- (14) The brake lines and connections shall:
- (a) be constructed from materials meeting SAE standards:
 - (i) J1047, 1401 and 1403 for hydraulic brakes;
 - (ii) J1149, J1394, J846 and S1402, for air brakes;

- (b) be designed and maintained so that they are secured against undue wear, accidental disconnection, chafing and failure due to vibration;
- (c) not be crimped or dented in a manner that impedes the flow of brake fluid or air; and
- (d) be free from leaks.

(15) The pedal travel of the service brake on full brake application shall be not more than 80% of the total available travel or the travel that is specified by the manufacturer, whichever is greater.

(16) The brakes shall, without the use of the power assist, stop the fully loaded vehicle or combination of vehicles from a speed of 30 kilometres per hour on a dry, smooth, level, paved surface in a distance of not more than:

- (a) in the case of a single vehicle with a GVW of 4500 kilograms or less, 8 metres;
- (b) in the case of a combination of vehicles with a combined GVW of 4500 kilograms or less, 12 metres;
- (c) in the case of a single vehicle with a GVW in excess of 4500 kilograms, 12 metres;
- (d) in the case of a combination of vehicles with a combined GVW in excess of 4500 kilograms, 14 metres;

without deviating more than 300 millimetres from a straight line.

4 Sep 87 cV-2.1 Reg 10 s22.

Hydraulic brakes

23(1) If the vehicle is fitted with hydraulic brakes, the vehicle shall have a brake fluid reservoir that maintains brake fluid:

- (a) at the level specified by the vehicle manufacturer; or
- (b) where the level is not specified by the manufacturer, at a level that is not less than 10 millimetres from the lowest edge of the filler opening.

(2) Where the vehicle is manufactured or assembled after 1969, the hydraulic brake system shall be designed and maintained so that failure of any part of the hydraulic system will not leave the vehicle without brakes on at least two wheels on opposite sides of the vehicle.

(3) A car manufactured or assembled after 1970, shall have a lamp that:

- (a) is located on the dashboard in full view of the driver; and
- (b) indicates when a failure of the hydraulic brake system has occurred.

4 Sep 87 cV-2.1 Reg 10 s23.

Air brakes

24(1) Where the vehicle is fitted with air brakes, the brakes shall have check valves that:

- (a) prevent loss of air from an air reservoir in the event of a leak in the line between the source and the reservoir or a failure at the source; and
- (b) are located between the source of the compressed air and the air reservoir and between the reservoir of each secondary system and the supply reservoir.

(2) The air reservoir shall have a capacity of:

- (a) if manufactured after 1975, at least 12 times; or
- (b) if manufactured in 1975 or earlier, at least eight times;

the combined volumes of all service brake chambers at maximum travel of the pistons or diaphragms.

(3) The air brake system shall limit the drop in air pressure while the engine is shut off to 80 kPa on brake application and, while the brakes are applied, to:

- (a) 20 kPa per minute, in the case of a single unit;
- (b) 30 kPa per minute, in the case of two vehicles in combination;
- (c) 35 kPa per minute, in the case of three vehicles in combination.

(4) The vehicle shall have at least one air gauge for each service reservoir that:

- (a) is located in the driver's compartment in full view of the driver;
- (b) is accurate within 10%; and
- (c) indicates the pressure in the reservoir.

(5) Each service reservoir tank shall have a device that provides a visible or audible warning to the driver in the event of low air pressure.

(6) The compressor of the air brake system shall build up air pressure to a range between 350 kPa and 600 kPa for single vehicles within two minutes with the engine running at 1200 revolutions per minute.

(7) If the air brake system is fitted with a belt driven compressor, the compressor belt shall not:

- (a) be cut, frayed or excessively worn; and
- (b) have more than 15 millimetres deflection when measured at the mid-point between pulleys.

(8) The air brake system shall have a device that applies the brakes automatically when the air pressure drops below 120 kPa or 315 kPa, whichever is designated by the manufacturer.

Steering system

25(1) The steering system of the vehicle shall be maintained:

- (a) in the case of a vehicle other than a modified vintage vehicle, within the specifications approved by the vehicle manufacturer;
 - (b) in the case of a modified vintage vehicle, within the steering geometry specifications approved by the manufacturer of the steering assembly.
- (2) The steering wheel free play, measured at the rim, shall not exceed:
- (a) 65 millimetres in the case of a steering wheel with a diameter of 450 millimetres or less;
 - (b) 75 millimetres in the case of a steering wheel with a diameter greater than 450 millimetres.
- (3) The steering box and steering column shall not be loose and shall have no loose or missing fasteners.
- (4) The steering wheel shall have:
- (a) at least 25.60 millimetres clearance between the rim and any other part of the vehicle; and
 - (b) a diameter of not less than 330 millimetres, or that specified by the manufacturer, whichever is less.
- (5) The front wheels of the vehicle shall turn from maximum left to maximum right without contacting any non-rotating part with the vehicle loaded when the vehicle is loaded to its GVWR.
- (6) In the case of a type A-1 vehicle, the steering wheel rotation between maximum left and maximum right shall be between two and six turns.
- (7) The front wheels of the vehicle shall tend to return to the straight ahead position when the steering wheel is released during a turn.

4 Sep 87 cV-2.1 Reg 10 s25.

Vehicle identification number

- 26(1)** The vehicle shall have a vehicle identification number that is sunk into or embossed on a part of the vehicle that is not designed to be removed except for repair.
- (2) If the vehicle is a type A-1 vehicle manufactured or assembled after 1974, the vehicle identification number shall be located inside the operator's compartment adjacent to the left front roof pillar and be readable from outside the vehicle without removing any part.

4 Sep 87 cV-2.1 Reg 10 s26.

Speedometer

- 27** The vehicle shall have a means of indicating speed that is within view of the driver.

4 Sep 87 cV-2.1 Reg 10 s27.

Horn

28(1) The vehicle shall have a horn that emits a sound that is audible under normal conditions from a distance of at least 60 metres.

(2) The horn shall have a pressure switch that is within easy reach of the driver.

4 Sep 87 cV-2.1 Reg 10 s28.

Fire extinguishers

29(1) A type A-2 or type A-3 vehicle that is a public service vehicle or is a vehicle transporting bulk flammable products shall have a fire extinguisher that:

- (a) is approved by UL, ULC or FM and labelled accordingly;
- (b) is rated as:
 - (i) in the case of power units or trucks transporting bulk flammable products, 20 BC;
 - (ii) in the case of power units, ambulances, or trucks other than those described in subclause (i), 5 BC;
 - (iii) in the case of taxis and buses, 8 BC or, if the fire extinguisher is of the halogen type, 1 A 5 BC; and
- (c) has a visual indicator to indicate that it is unused or used.

(2) The requirements of clause (1)(b)(i) are satisfied by using two approved fire extinguishers each rated at 10 BC or greater.

4 Sep 87 cV-2.1 Reg 10 s29.

Flares

30(1) A type A-2 vehicle that is operated outside the corporate limits of an urban municipality shall carry at least three flares.

(2) A type A-3 vehicle shall carry at least three flares.

4 Sep 87 cV-2.1 Reg 10 s30.

Lamps general

31 All lamps required pursuant to this Part shall be securely mounted, meet SAE standards applicable at time of manufacture and, except for headlamps and instrument lamps, be visible from a distance of at least 200 metres on a clear night.

4 Sep 87 cV-2.1 Reg 10 s31.

Headlamps

32(1) The vehicle shall have at least two headlamps that have both a high beam and a low beam and that are located at the front as far apart as practicable and, where practicable, at a height of not less than 535 millimetres and not more than 1400 millimetres from the ground, measured to the centre of the lamp unless impracticable because of the equipment or construction of the vehicle.

- (2) The headlamps shall, while on high beam or low beam, emit a white light visible from a distance of 500 metres.
- (3) The headlamps shall, while on high beam or low beam, illuminate a 1000 millimetres by 300 millimetres gray object with white light so that it is visible to the driver, on a clear night, from a distance of at least:
- (a) 150 metres in the case of the high beam;
 - (b) 50 metres in the case of the low beam.
- (4) The headlamps shall have a control by which the driver is able to switch between the high and low beams without interruption of light.
- (5) The low beam of the headlamp shall be focused so that when the vehicle is unloaded and on level ground and the low beam is illuminating a screen at a distance of 8 m:
- (a) the left edge of the high intensity zone is not more than 100 millimetres right or left of straight ahead; and
 - (b) the top edge of the high intensity zone is no more than 100 millimetres above or below the height of the lamp.
- (6) The vehicle shall have a lamp on the instrument panel that indicates to the driver when the high beam is activated.

4 Sep 87 cV-2.1 Reg 10 s32.

Auxiliary lamps

- 33(1) If the vehicle is equipped with auxiliary headlamps, fog lamps or driving lamps, those lamps shall be:
- (a) focused at least as low and as far to the right as the low beam of the headlamps; or
 - (b) connected so that they are switched off when the low beam is selected.
- (2) The auxiliary lamps shall be mounted no higher than the headlamps except where front mounted equipment makes that impracticable.

4 Sep 87 cV-2.1 Reg 10 s33.

Brake lamps

- 34(1) The vehicle shall have two brake lamps that:
- (a) are located facing the rear;
 - (b) are between 350 millimetres and 2110 millimetres from the road surface;
 - (c) are positioned as far apart as practicable;
 - (d) emit a red light; and
 - (e) are activated by brake application.
- (2) A modified vintage vehicle shall have at least one brake lamp meeting the requirements of clauses (1)(a), (b) and (d).

4 Sep 87 cV-2.1 Reg 10 s34.

Signal lamps

- 35(1) The vehicle shall have turn signal lamps that are positioned:
- (a) two facing the front and two facing the rear;
 - (b) as far apart as practicable; and
 - (c) between 350 millimetres and 2110 millimetres from the road surface.
- (2) The signal lamps shall emit:
- (a) a flashing amber light from the front facing lamps; and
 - (b) a flashing amber or red light from the rear facing lamps.
- (3) In the case of a modified vintage vehicle, a flashing white or amber light may be emitted from the front facing lamps.
- (4) The signal lamps shall be activated by a signal lamp control that is within easy reach of the driver.
- (5) Where the vehicle was manufactured after 1976, the signal lamps shall be self-cancelling.
- (6) The signal lamps shall have an audible or visual indicator to inform the operator when the lamp is activated.

4 Sep 87 cV-2.1 Reg 10 s35.

Hazard lamps and combined lamps

- 36(1) Where the vehicle was manufactured or assembled on or after January 1, 1970, it shall have four hazard warning lamps that are positioned:
- (a) two facing to the front and two facing to the rear;
 - (b) as far apart as practicable; and
 - (c) between 350 millimetres and 2110 millimetres from the road surface.
- (2) The hazard lamps shall flash on the left and right sides of the vehicle simultaneously and shall emit:
- (a) a flashing amber light from the front lamps; and
 - (b) a flashing amber or red light from the rear lamps.
- (3) The hazard lamps shall:
- (a) be independent of all other controls;
 - (b) be activated by a hazard lamp switch that is within easy reach of the driver; and
 - (c) have an audible or visual indicator to inform the operator when the lamp is activated.
- (4) For the purposes of sections 34 and 35 and this section, a single lamp may serve as a brake lamp, a signal lamp and a hazard lamp.

4 Sep 87 cV-2.1 Reg 10 s36.

Tail lamps

37(1) The vehicle shall have at least two tail lamps that:

- (a) are located at the rear;
 - (b) are between 350 millimetres and 2110 millimetres above the road surface;
 - (c) are positioned as far apart as practicable;
 - (d) emit a red light; and
 - (e) are activated by the headlamp control.
- (2) A modified vintage vehicle shall have at least one tail lamp meeting the requirements of clauses (1)(a), (c) and (d).

4 Sep 87 cV-2.1 Reg 10 s37.

Strobe lights required for Type A-3 vehicles

37.1 On and after September 4, 2004, every type A-3 vehicle that operates outside a city, town or village must have a strobe lamp that meets the following criteria:

- (a) it is mounted at the rear and on the roof of the type A-3 vehicle so that it is visible from all directions;
- (b) it is white in colour;
- (c) it complies with SAE standard J1318, entitled "Gaseous Discharge Warning Lamp for Authorized Emergency, Maintenance, and Service Vehicles";
- (d) it has a minimum rating of 10 joules;
- (e) it is marked "SAE W2" and meets that standard.

26 Sep 2003 SR 100/2003 s2.

Licence plate lamp

38(1) The vehicle shall have a lamp that illuminates the rear licence plate.

(2) The licence plate lamp shall:

- (a) emit a white light so that the licence plate is visible from a distance of 100 metres on a clear night; and
 - (b) be activated by the headlamp switch.
- (3) Subsection (1) does not apply to a type A vehicle that is a power unit.

4 Sep 87 cV-2.1 Reg 10 s38.

Side-marker lamps

39(1) Subject to subsection (5), the vehicle shall have side-marker lamps located two on each side of the vehicle not less than 350 millimetres above the ground and as close to the corners as practicable.

(2) In addition to the lamps referred to in subsection (1), a vehicle over 10 metres long shall have side-marker lamps located one on each side close to the horizontal mid-point and not less than 350 millimetres above the ground.

- (3) The side-marker lamps shall:
 - (a) be visible from the side;
 - (b) emit a red light from the rear-most lamps and an amber light from the foremost and, where fitted, mid-point lamps; and
 - (c) be activated by the headlamp switch.
- (4) Subsections (1) to (3) do not apply to type A-1 vehicles that were manufactured or assembled before January 1, 1972.
- (5) Rear side-marker lamps are not required on power units.

4 Sep 87 cV-2.1 Reg 10 s39.

Clearance lamps

40 A type A-2 vehicle shall have four clearance lamps that:

- (a) are located two facing to the rear and, except in the case of power units, two facing to the front as far apart as practicable;
- (b) emit a red light from the rear facing lamps and an amber light from the front facing lamps; and
- (c) are activated by the headlamp control.

4 Sep 87 cV-2.1 Reg 10 s40.

Combined lamps

41 For the purpose of section 39 and 40, a single lamp may serve as both a clearance lamp and a side-marker lamp if it can be seen both from the side and from either the front or rear.

4 Sep 87 cV-2.1 Reg 10 s41.

Identification lamps type A-2

42(1) A type A-2 vehicle shall, where practicable, have six identification lamps that:

- (a) are located, three facing to the front, and three facing to the rear as high and as near to the horizontal mid-point of the vehicle as practicable; and
 - (b) emit a red light from the rear lamps and an amber light from the front lamps.
- (2) The provisions of subsection (1) with respect to rear facing identification lamps do not apply to type A-2 vehicles that are power units.

4 Sep 87 cV-2.1 Reg 10 s42.

Backup lamp

43 Where the vehicle was manufactured or assembled after December 31, 1971, it shall have at least one backup lamp that:

- (a) is located facing to the rear;
- (b) illuminates a 1000 millimetres by 300 millimetres gray object, at a distance of 5 metres with a white light so that it is visible from the driver's seat on a clear night; and
- (c) is activated when the transmission of the vehicle is engaged in reverse gear while the engine is running.

4 Sep 87 cV-2.1 Reg 10 s43.

Reflectors

44(1) The vehicle shall have reflectors or reflective tapes that are located:

- (a) two facing the rear as far apart as practicable and from 350 to 1530 millimetres above the surface of the road; and
- (b) two on each side as far apart as practicable and from 350 to 1530 millimetres above the surface of the road.

(2) In addition to the reflectors or reflective tapes referred to in subsection (1), there shall be located near the horizontal mid-point on the side of vehicles over 10 metres in length reflectors or tapes that:

- (a) emit an amber reflection from the front-most and, where fitted, centre reflectors and a red reflection from the rear-most reflectors; and
- (b) are visible on a clear night when illuminated by type A vehicle headlamps with both the observer and the headlamps at a distance of 60 metres.

(3) For the purpose of subsection (1) and (2), lamps with reflective lenses may serve as reflectors.

4 Sep 87 cV-2.1 Reg 10 s44.

Electrical wiring

45 The electrical wiring of the vehicle shall:

- (a) be installed in accordance with good engineering practice;
- (b) conform to SAE Standards J1292;
- (c) not be broken or badly frayed; and
- (d) be of a gauge equal to or heavier than that prescribed in Table 2 of the Appendix or that installed by the original manufacturer, whichever is less.

4 Sep 87 cV-2.1 Reg 10 s45.

Starter cable

46 The starter cable of the vehicle shall be:

- (a) of a gauge equal to or heavier than that specified by the vehicle manufacturer; or
- (b) where a gauge is not specified by the vehicle manufacturer, of 0 gauge.

4 Sep 87 cV-2.1 Reg 10 s46.

Battery

47 The battery of the vehicle shall be:

- (a) securely mounted; and
- (b) if the battery is located in an enclosed area and is not a sealed battery, vented.

4 Sep 87 cV-2.1 Reg 10 s47.

Frame of modified vintage vehicles

48 Where the vehicle is a modified vintage vehicle and the frame of the vehicle has been modified or specially fabricated, the frame of the vehicle shall support the vehicle, its load and the torque from the power source, under all operating conditions without distortion.

4 Sep 87 cV-2.1 Reg 10 s48.

Chassis fasteners of modified vintage vehicles

49 Every modified vintage vehicle shall have chassis fasteners that incorporate self-locking nuts, lock washers, cotter pins or safety wires.

4 Sep 87 cV-2.1 Reg 10 s49.

Bumpers

50(1) Every passenger car shall be equipped with front and rear bumpers and every other type A vehicle with a GVWR of 4500 kilograms or less shall be equipped with front bumpers that:

- (a) are securely mounted to the frame or chassis;
- (b) have a vertical surface of at least 100 millimetres; and
- (c) extend at least to the width of the original manufacturer's track width.

(2) On cars, the centre part of the bumper shall be between 380 and 560 millimetres above the ground when the vehicle is unloaded on level ground and tires are inflated within the range specified by the tire manufacturer.

(3) On type A vehicles with GVWR of 4500 kilograms or less, other than cars, the height of the lowest part of the bumper shall be not more than 750 millimetres above the road surface.

4 Sep 87 cV-2.1 Reg 10 s50.

Sharp edges

51 No type A vehicle shall have rigid sharp edges of sheet metal, bumpers, fenders, molding or any other parts, except mirrors and lamps, that protrude more than 100 millimetres beyond the side of the vehicle when measured at its widest point.

4 Sep 87 cV-2.1 Reg 10 s51.

Fenders or mudflaps

52(1) Subject to subsections (2) and (3), the vehicle shall have, for each tire, a fender, mudflap or body overhang that:

- (a) reduces the rearward projection of gravel, mud, water and snow from the tire;
 - (b) is located so that the lowest point of the fender, mudflap or body overhang is above the ground a distance that is not greater than two thirds of the horizontal distance from that point to the centre of the wheel; and
 - (c) extends across the full width of the tire.
- (2) The requirements of subsection (1) apply to wheels on steering axles only when the wheels are in the straight ahead position.
- (3) Subsection (1) does not apply to a modified vintage vehicle when the vehicle is being operated on a dry, paved surface.

4 Sep 87 cV-2.1 Reg 10 s52.

Floor

53 The vehicle shall have a floor in the passenger compartment and trunk that is in sound condition and that prevents the entrance of exhaust fumes into the passenger compartment.

4 Sep 87 cV-2.1 Reg 10 s53.

Exits

- 54(1)** The vehicle shall have at least two passenger compartment exits, located one on each side of the vehicle.
- (2) One passenger exit may be a window with an opening of not less than 400 millimetres by 400 millimetres.

4 Sep 87 cV 2.1 Reg 10 s54.

Door latch

55(1) The vehicle shall have a door latch on each door that, unless otherwise designed by the original vehicle manufacturer, provides a primary and secondary latch position.

(2) The locking mechanism of the latch shall unlock by hand from inside the vehicle and, when engaged, shall prevent the door from being opened from the outside of the vehicle except with a key or by means of a combination.

(3) Subsection (2) does not apply to a vehicle used by a police force or a vehicle that does not have a fully enclosed passenger compartment.

4 Sep 87 cV-2.1 Reg 10 s55.

Hood latch

56 If the vehicle is fitted with a front engine hood that is hinged at the rear, the vehicle shall have primary and secondary safety hood latches.

4 Sep 87 cV-2.1 Reg 10 s56.

Driver's seat

57(1) The vehicle shall have a seat for the driver that:

- (a) is designed and constructed in accordance with SAE Standard J879;
- (b) is securely anchored; and
- (c) provides the seated driver with a clear view of the road and reasonable access to all driving controls while the seat-belt is correctly worn.

(2) If the seat for the driver is adjustable, the adjustment mechanism shall secure the seat in all adjustment positions.

4 Sep 87 cV-2.1 Reg 10 s57.

Special seats

58(1) Rotating seats and seats that are designed to provide substantial free vertical movement, when installed in a vehicle manufactured or assembled after December 31, 1970, shall have:

- (a) seat-belt anchorage points that comply with CMVSS attached to the part of the seat that rotates or moves vertically; and
- (b) a base or pedestal that withstands, with no permanent distortion, a force of 2200 kilograms applied horizontally in either a forward or rearward direction at the seat-belt anchorage points.

(3) Seats other than those described in section 57 and this section shall be securely anchored and, if adjustable, capable of being secured in each adjustment position.

4 Sep 87 cV-2.1 Reg 10 s58.

Interpretation

59 In this section and in sections 60 to 63.1:

- (a) **"child"** means a person who is under 16 years of age;
- (b) **"child restraint system"** means any device, other than a lap belt, shoulder belt plus lap belt or lap-shoulder seat-belt assembly that:
 - (i) is designed for use in a vehicle to restrain a child; and
 - (ii) bears a manufacturer's label stating:
 - (A) that it meets CMVSS 213 at the time of manufacture;
 - (B) the weight and height of child for which it is designed;
 - (C) how it is to be installed;
 - (D) which direction it is to face when placed or installed on the seat of a vehicle; and
 - (E) the name and principal place of business of the person by whom or for whom the child restraint system is manufactured;
- (c) **"infant restraint system"** means any device, other than a lap belt, shoulder belt plus lap belt or lap-shoulder seat-belt assembly that:
 - (i) is designed for use in a vehicle to restrain a child; and
 - (ii) bears a manufacturer's label stating:
 - (A) that it meets CMVSS 213.1 at the time of manufacture;
 - (B) the weight and height of child for which it is designed;
 - (C) how it is to be installed;
 - (D) which direction it is to face when placed or installed on the seat of a vehicle; and
 - (E) the name and principal place of business of the person by whom or for whom the infant restraint system is manufactured.

4 Sep 87 cV-2.1 Reg 10 s59; 19 Mar 93 SR 20/93 s4.

Seat-belts

60(1) Where the vehicle was manufactured or assembled after December 31, 1970, or where the vehicle has no doors or roof, it shall have seat-belt anchorage assemblies that meet the specifications of CMVSS 207, CMVSS 208 or CMVSS 209.

(2) Each seat-belt assembly shall be readily accessible and maintained in operable condition for each seating position designed by the manufacturer as a normal seating position.

- (3) The seat-belt assembly shall:
 - (a) have a buckle that is accessible to the occupant;
 - (b) have webbing that is not substantially frayed, split or torn and that has no broken or missing stitching; and
 - (c) be securely anchored to a suitably re-enforced point on the structure of the vehicle or, in the case of rotating seats and seats with substantial free movement, be anchored to the seat.
- (4) If the seat-belt assembly was manufactured after December 31, 1976, the buckle shall release with a single action.

4 Sep 87 cV-2.1 Reg 10 s60.

Required seat-belts and warning system

61(1) Every type A-1 vehicle other than:

- (a) a convertible vehicle;
- (b) a truck with a GVWR of less than 4500 kilograms; or
- (c) a multipurpose passenger vehicle with a GVWR of less than 4500 kilograms;

shall have:

- (d) where the vehicle was manufactured on or after January 1, 1971 but before January 1, 1974:
 - (i) a lap seat-belt plus shoulder belt or lap-shoulder seat-belt assembly at each front outboard seat; and
 - (ii) a lap belt, a lap belt plus shoulder belt or a lap-shoulder seat-belt assembly at each seat designed by the manufacturer as a normal seating position; and
- (e) where the vehicle was manufactured on or after January 1, 1974:
 - (i) a lap-shoulder seat-belt assembly at each front outboard seat designed by the manufacturer as a normal seating position; and
 - (ii) a lap seat-belt or a lap-shoulder seat-belt at each seat designed by the manufacturer as a normal seating position.

(2) Every type A-1 vehicle that is:

- (a) a truck with a GVWR of less than 4500 kilograms; or
- (b) a multipurpose passenger vehicle with a GVWR of less than 4500 kilograms;

shall have:

- (c) where the vehicle was manufactured on or after January 1, 1972 but before April 1, 1976 a lap seat-belt assembly at each seat designed by the manufacturer as a normal seating position;

- (d) where the vehicle was manufactured on or after April 1, 1976:
 - (i) a lap-shoulder seat-belt assembly at each front outboard seat; and
 - (ii) a lap seat-belt assembly at each seat other than one mentioned in clause (i) designed by the manufacturer as a normal seating position.
- (3) Every type A-1 vehicle that is a convertible vehicle manufactured on or after January 1, 1971 shall have a lap seat-belt at each seat designed by the manufacturer as a normal seating position.
- (4) Every type A-2 vehicle manufactured on or after July 1, 1972 other than a bus, shall have a lap seat-belt assembly at each seat designed by the manufacturer as a normal seating position.
- (5) Every type A-2 vehicle manufactured on or after July 1, 1972 that is a bus shall have a lap seat belt assembly at the driver's seat.
- (6) Where a vehicle is required by this section to be equipped with a lap seat-belt assembly, the vehicle may be equipped with a lap plus shoulder seat-belt assembly or lap-shoulder seat-belt assembly.
- (7) A vehicle to which this Part applies that was manufactured on or after January 1, 1976, shall be equipped with a warning system to warn the driver to use the seat-belt assembly that consists of an audible signal and a visible warning light that come on and remain on for a period of not less than four seconds when:
 - (a) the ignition switch is moved to the "on" position;
 - (b) the ignition switch is moved to the "start" position; or
 - (c) the vehicle's engine is operating and the transmission gear selector is in the forward position.

4 Sep 87 cV-2.1 Reg 10 s61.

62 Repealed. 19 Mar 93 SR 20/93 s5.

63 Repealed. 19 Mar 93 SR 20/93 s6.

Child restraint system

63.1 Any child restraint system or infant restraint system that is occupied by a passenger under 16 years of age in a vehicle must:

- (a) be readily accessible to the driver;
- (b) be in good condition;
- (c) be represented by the manufacturer:
 - (i) on or by the label mentioned in subclause 59(b)(ii), in the case of a child restraint system, to be designed for the weight and height of the child occupying the child restraint system; or
 - (ii) on or by the label mentioned in subclause 59(c)(ii), in the case of an infant restraint system, to be designed for the weight and height of the child occupying the infant restraint system;

(d) be secured in accordance with the manufacturer's installation instructions on the label mentioned in subclause 59(b)(ii), in the case of a child restraint system, or on the label mentioned in subclause 59(c)(ii), in the case of an infant restraint system; and

(e) face in the direction stated by the manufacturer on the label mentioned in subclause 59(b)(ii), in the case of a child restraint system, or on the label mentioned in subclause 59(c)(ii), in the case of an infant restraint system.

19 Mar 93 SR 20/93 s7.

Windshield and side windows

64(1) The vehicle shall have a windshield that is of laminated safety glass conforming to ANSI Z26.1, type AS-1 or AS-10 and is so marked.

(2) The windshield shall be in a generally vertical position.

(3) The windshield shall:

(a) be large enough to provide the driver with a clear view of the road;

(b) be free of decals and damage greater than 51.20 millimetres in diameter in the area swept by the windshield wipers; and

(c) not have coatings of sunscreen or reflective material other than that applied by the glass manufacturer.

(4) The windshield shall not have any crack that goes through both layers of glass or any two cracks extending from one edge to another and passing through the area swept by the windshield wipers.

(5) The windshield shall not have more than 10% of the total area discoloured or damaged.

4 Sep 87 cV-2.1 Reg 10 s64.

Prohibition re sale of certain windshields

65 No person shall sell or offer for sale a windshield for a type A vehicle that is not laminated safety glass conforming to the requirements of ANSI type AS-1 or AS-10 and marked accordingly.

4 Sep 87 cV-2.1 Reg 10 s65.

Side windows

66(1) The vehicle shall have at least two side windows or openings that are located on either side of the driver so that the driver has a clear view to the sides.

(2) If the side openings are fitted with glass, the glass shall conform to ANSI type AS-1, AS-2, AS-10 or AS-11.

(3) The glass shall not have coatings of sunscreen or reflective material other than that applied by the glass manufacturer.

(4) Glass installed in passenger compartment windows, other than those described in subsection (1), shall conform to ANSI AS 1 to AS 12 or be DOT approved and be safety glass.

4 Sep 87 cV-2.1 Reg 10 s66.

Mirrors

67(1) A vehicle other than a modified vintage vehicle, shall have at least two rear-view mirrors.

(2) The mirrors shall:

- (a) be located one on the left side and one either on the right side or in the interior;
- (b) provide the driver with a clear view to the rear;
- (c) be securely mounted; and
- (d) be adjustable;

(3) An interior mirror, and a left hand exterior mirror on a type A-1 vehicle, shall have at least 6000 millimetres² of effective area or the area of mirror installed by the manufacturer, whichever is less.

(4) A right hand exterior mirror on a vehicle other than a type A-2 vehicle shall have at least 10000 millimetres² of effective area where it is a mirror other than one installed by the manufacturer.

(5) An exterior mirror on a type A-2 vehicle shall have at least 20000 millimetres² of effective area.

(6) A modified vintage vehicle shall have at least one mirror that provides the driver with a clear view to the rear.

4 Sep 87 cV-2.1 Reg 10 s67.

Windshield wiper

68(1) Subject to subsection (2), the vehicle shall have at least one powered windshield wiper that:

- (a) sweeps at least 70% of the total area of the windshield or that area specified by the original manufacturer of the vehicle, whichever is less;
- (b) has a sweep rate of at least 30 cycles per minute; and
- (c) conforms to SAE standard S903C.

(2) The windshield wiper shall be maintained so that the blade effectively clears the windshield of moisture.

(3) Subsection (1) does not apply to a modified vintage vehicle on which a powered windshield wiper was not installed by the original manufacturer when the vehicle is not operated in the rain.

4 Sep 87 cV-2.1 Reg 10 s68.

Defroster or frost shields

69(1) Subject to subsection (2), the vehicle shall have frost shields or a defrosting or defogging device that:

- (a) maintains at least 90% of the windshield area swept by the windshield wipers free of fog or frost; and
- (b) maintains the windows on either side of the driver free of fog or frost so that the driver has a clear view to the sides and of the exterior rear-view mirror.

(2) Subsection (1) does not apply to a modified vintage vehicle when it is being operated at any temperature above 0° Celsius.

4 Sep 87 cV-2.1 Reg 10 s69.

Sun shield

70(1) The vehicle shall have at least one adjustable sun shield with effective dimensions of at least 100 millimetres by 250 millimetres for the driver.

(2) Subsection (1) does not apply to a modified vintage vehicle on which a sun shield was not installed by the original manufacturer.

4 Sep 87 cV-2.1 Reg 10 s70.

Tires

71(1) The vehicle shall have tires that complied with CMVTSS at the time of manufacture.

(2) The tires shall be inflated to a pressure within the range specified by the tire manufacturer for the load being carried.

(3) The tires shall:

- (a) be free of cuts or cracks in the side wall are that are greater than 25.60 millimetres in length extending to the cord;
- (b) have no visible bulges indicating structural failure; and
- (c) have no exposed ply material.

(4) The tires on the steering axle of a type A-2 vehicle shall not be retreaded tires, unless the tires on that axle are of a type that cannot be transferred to another axle of the vehicle.

(5) Except in the case of a tire specifically designed and used as a spare, tires of the same dimensions and construction shall be installed on opposite ends of the same axle.

(6) Tires shall have a tread depth, when measured at each of two adjacent grooves located at any three points equally spaced around the circumference of the tire, of at least:

- (a) 1.60 millimetres on all tires of a type A-1 vehicle;
 - (b) 3.20 millimetres on the front tires of a type A-2 vehicle operated outside an urban municipality;
 - (c) 1.60 millimetres on the rear tires of a type A-2 vehicle operated outside an urban municipality;
 - (d) 1.60 millimetres on the front tires of a type A-2 vehicle operated within an urban municipality; and
 - (e) some tread on the rear tires of a type A-2 vehicle operated within an urban municipality.
- (7) A four-wheel vehicle that has bias ply tires on the rear axle shall also have bias ply tires on front wheels.
- (8) The sidewall of the tire shall be permanently marked with the size, maximum inflation pressure, maximum load rating and, in the case of a radial tire, the construction type.
- (9) Dual tires shall have diameters that are matched within 13 millimetres.
- (10) Notwithstanding subsection (4), the administrator may approve the use of retreaded tires on a steering axle.
- (11) Subsection (5) and (7) do not apply to a tire that is specifically designed and used as a spare.

4 Sep 87 cV-2.1 Reg 10 s71.

Wheels

72 The wheels of the vehicle shall not:

- (a) be cracked, excessively bent or repaired by welding unless the weld is done in a manner and in accordance with standards approved by the administrator.
- (b) have loose or missing wheel studs or nuts; and
- (c) have stud holes that are elongated.

4 Sep 87 cV-2.1 Reg 10 s72; 8 Nov 96 SR 86/96 s2.

Trailer hitch

73(1) Where the vehicle is fitted with a trailer hitch, the trailer hitch shall have rated capacity equal to or greater than the GVW of any vehicle or vehicles being towed.

(2) The trailer hitch shall be:

- (a) securely mounted; and
- (b) constructed so that it does not interfere with the universal action of the coupling device.

- (3) The trailer hitch shall cause the towed vehicle to track, on level ground, without deviating from a straight line by more than 300 millimetres.
- (4) When not in use, the trailer hitch shall not extend beyond the bumper of the vehicle more than 225 millimetres.
- (5) If the trailer hitch is a ball type hitch, it shall have a ball diameter and shank that respectively are not less than:
- (a) 47 millimetres and 25.60 millimetres when the vehicle is towing a trailer with a GVW of not more than 900 kilograms;
 - (b) 51.20 millimetres and 25.60 millimetres when the vehicle is towing a trailer with a GVW of more than 900 kilograms and not more than 2270 kilograms;
 - (c) 58 millimetres and 34 millimetres when the vehicle is towing a trailer with a GVW of more than 2270 kilograms and not more than 4540 kilograms.
- (6) When the trailer hitch is on a car, it shall be of a load distributing design where the trailer has a GVW in excess of 1600 kilograms.

4 Sep 87 cV-2.1 Reg 10 s73.

Gooseneck hitch

- 74 Where the vehicle is a type A-1 vehicle towing a trailer with a gooseneck hitch, the hitch coupler shall be located over or forward of the rear axle of the vehicle.

4 Sep 87 cV-2.1 Reg 10 s74.

Fifth wheel hitch

- 75 Where the vehicle is fitted with a fifth wheel, the fifth wheel shall have:
- (a) a plate that is securely mounted;
 - (b) a locking device that prevents separation of the fifth wheel and the semi-trailer king pin; and
 - (c) lubrication between the fifth wheel and the upper fifth plate of the semi-trailer.

4 Sep 87 cV-2.1 Reg 10 s75.

PART IV Type A-3 Vehicles

Application of Part

- 76(1) The requirements of this Part apply only to type A-3 vehicles.
- (2) Every type A-3 vehicle driven on a highway shall be equipped in accordance with this Part.
- (3) Notwithstanding subsection (2), the administrator may approve for use on a highway a type A-3 vehicle that does not comply with this Part.

4 Sep 87 cV-2.1 Reg 10 s76.

CMVSS standards apply

77 Every school bus shall comply with the appropriate CMVSS for a bus, chassis cab or van, and bear a label of compliance.

4 Sep 87 cV-2.1 Reg 10 s77.

CSA standards apply

78(1) Every vehicle that is registered as a school bus shall be equipped in accordance with the requirements of:

- (a) CSA D250 where the vehicle was registered in or after 1976 but before 1982;
- (b) CSA D250 M1982 where the vehicle was manufactured in 1982;
- (c) the edition of CSA D250 that was in force at the time of its manufacture where the vehicle was manufactured after 1982.

(2) Notwithstanding subsection (1), where the requirements of the applicable edition of CSA D250 are different from any of the requirements of this Part, the requirements of this Part shall prevail.

4 Sep 87 cV-2.1 Reg 10 s78.

Engine

79 Where the vehicle is 2060 millimetres or less in width, the engine of the vehicle shall have a displacement of not less than 4.59 litres.

4 Sep 87 cV-2.1 Reg 10 s79.

Fuel tank

80 Where the vehicle is 2060 millimetres or less in width, the fuel tank of the vehicle shall have a capacity of not less than:

- (a) 77 litres in the case of a vehicle fueled with gasoline or diesel fuel;
- (b) 100 litres in the case of a vehicle fueled with liquid propane fuel.

4 Sep 87 cV-2.1 Reg 10 s80.

Exhaust system

81 The vehicle shall have an exhaust system that terminates at the rear, inboard of the rear bumper or on the right side not more than 100 millimetres forward of the rear wheel well and approximately flush with the vehicle perimeter.

4 Sep 87 cV-2.1 Reg 10 s81.

Axles and suspensions

82(1) Where the vehicle is 2060 millimetres or less in width, the vehicle shall have axles and suspensions that have a GAWR of not less than:

- (a) 2160 kilograms in the case of a rear axle;
- (b) 1480 kilograms in the case of a front axle.

(2) In no case shall the calculated GVW exceed the GAWR of both axles.

(3) For the purposes of this section, "**calculated GVW**" means the weight of the vehicle plus the passenger seating capacity of the vehicle multiplied by 55 kilograms, plus 70 kilograms.

4 Sep 87 cV-2.1 Reg 10 s82.

Shock absorbers

83 The vehicle shall have heavy duty double-acting shock absorbers for each wheel that are compatible with the axle load.

4 Sep 87 cV-2.1 Reg 10 s83.

Leaf springs

84 Where the vehicle is fitted with leaf-type springs, the springs shall have a full wrapper leaf in addition to the main leaf to protect the stationary eyes.

4 Sep 87 cV-2.1 Reg 10 s84.

Brakes

85(1) Where the vehicle is fitted with vacuum brakes, vacuum assisted brakes or power assisted brakes, the brakes shall have a check valve that:

- (a) is located between the source of one assist and the reservoir; and
- (b) prevents loss from the reservoir in the event of:
 - (i) a leak in the line between the source and the reservoir; or
 - (ii) a failure of the source.

(2) Where the vehicle is fitted with vacuum brakes, vacuum assisted brakes or power assisted brakes, the brake system shall have a reservoir that:

- (a) provides sufficient capacity to allow a full brake application in the event of failure of the source; and
- (b) is independent of any other accessories.

4 Sep 87 cV-2.1 Reg 10 s85.

Steering

86 The vehicle shall have a steering assembly that:

- (a) has only components and mechanisms approved by the vehicle manufacturer; and
- (b) has steering geometry as specified by the vehicle manufacturer.

4 Sep 87 cV-2.1 Reg 10 s86.

Indicators and gauges

87 The vehicle shall have at least the following functional instruments and indicators:

- (a) a speedometer;
- (b) an odometer;
- (c) an ammeter;
- (d) a low oil pressure indicator or gauge;
- (e) an engine coolant high temperature indicator or temperature gauge;
- (f) a fuel gauge;
- (g) a brake warning indicator;
- (h) a high beam indicator;
- (i) a turn signal indicator;
- (j) a red flashing stop lamp indicator;
- (k) a hazard warning lamp indicator; and
- (l) an emergency door indicator.

4 Sep 87 cV-2.1 Reg 10 s87.

First aid kit

88(1) The vehicle shall have an emergency first aid kit that is:

- (a) easily accessible to the driver;
- (b) clearly visible to the passengers or in a location indicated by a sign that is clearly visible to the passengers; and
- (c) in a sealed package.

(2) The emergency first aid kit shall be:

- (a) in the case of a vehicle registered for the first time after June 30, 1987, the one distributed by Safeco and called "Laerdal: The Car Behind" or its equivalent; or
- (b) in the case of a vehicle other than one described in clause (a):
 - (i) an emergency first aid kit mentioned in clause (a); or
 - (ii) one that contains:
 - (A) two triangle bandages;
 - (B) two 100 millimetres bandage compress dressings;
 - (C) two 900 millimetres by 900 millimetres gauze dressings;
 - (D) two 51.20 millimetres by 5.5 metres gauze bandages;

- (E) two gauze eye pads;
- (F) 12 rolls of 25.60 millimetres by 5 metres adhesive tape;
- (G) 20, 25.60 millimetres by 75 millimetres bandaids;
- (H) 12, 51.20 millimetres safety pins; and
- (I) one pair small scissors.

4 Sep 87 cV-2.1 Reg 10 s88.

Flares

- 89** The vehicle shall have three flares in suitable containers.

4 Sep 87 cV-2.1 Reg 10 s89.

Red flashing stop lamps

- 90(1)** The vehicle shall have four red flashing stop lamps located two at the front and two at the rear as high and as far apart as practicable.
- (2) The lamps shall be sealed beam lamps that are at least 125 millimetres in diameter and emit a red light that is visible from a distance of 150 metres under all light conditions.
- (3) The lamps shall flash at a rate of 60 to 120 cycles per minute.
- (4) The lamps shall be controlled by an on/off switch that is within easy reach of the driver and that is independent of any other circuit except the stop arm circuit.

4 Sep 87 cV-2.1 Reg 10 s90.

Stop arm

- 91(1)** The vehicle shall have a stop arm that:
- (a) is located on the left side immediately below the windows and as close to the driver's position as practicable;
 - (b) when deactivated, is positioned parallel to the side of the bus; and
 - (c) when activated, is positioned perpendicular to the side of the bus.
- (2) The stop arm shall be activated by opening the service door when the red flashing stop lamps are activated.
- (3) The stop arm shall:
- (a) be octagonal in shape;
 - (b) be, on both sides, red with 12 millimetres white border; and
 - (c) bear the word "STOP" on both sides, in white letters 150 millimetres in height and 12 millimetres in width.

- (4) The stop arm shall have two lamps that:
- (a) are at least 115 millimetres in diameter;
 - (b) are located one above and one below the word "STOP";
 - (c) are visible from front and rear;
 - (d) emit a red light; and
 - (e) flash in alternation at a rate of 60 to 120 cycles per second.

4 Sep 87 cV-2.1 Reg 10 s91.

Paint

- 92** The vehicle shall be painted:

- (a) black, Canadian General Standard Board Standard 1-GP-126, Colour Number 512-101 or the equivalent, on the chassis, wheels, bumpers and rub rails and around all red flashing stop lamps;
- (b) lusterless black or flat black, CIL Inc. #2320-084075 paint or its equivalent, on those surfaces that are in line with the driver's view or that are likely to reflect light in the driver's eyes while the driver is seated in the driver's seat; and
- (c) yellow, Canadian General Standard Board Standard 1-GP-126, Colour Number 505-111 or its equivalent, known as National School Bus Chrome, on all exterior surfaces, other than those described in clauses (a) and (b), and including sides, front, back, roof and fenders.

4 Sep 87 cV-2.1 Reg 10 s92.

Identification and messages

- 93(1)** The vehicle shall have identification lettering that:

- (a) consists of the words "SCHOOL BUS" on the front and rear;
- (b) is located as high as practicable;
- (c) uses black letters that are 150 millimetres in height having 25.60 millimetres in width; and
- (d) is on a yellow background.

- (2) In the case of a vehicle registered before June 30, 1987, the vehicle shall bear the message "DO NOT PASS WHEN SIGNALS FLASHING":

- (a) located at the rear of the bus, at least 25.60 millimetres below the words "SCHOOL BUS" but as high as otherwise practicable;
- (b) in black letters that are at least 51.20 millimetres in height; and
- (c) on a yellow or white background.

(3) In the case of a vehicle registered for the first time on or after June 30, 1987, the vehicle shall bear the message "DO NOT PASS WHEN SIGNALS FLASHING" on a level 2 reflective decal as described by Canadian General Standard Board Standard 62-GP level 2 for marking material that:

- (a) uses enclosed lens retroreflective material; and
- (b) is located at least 25.60 millimetres below the words "SCHOOL BUS" but as high as otherwise practicable.

4 Sep 87 cV-2.1 Reg 10 s93.

Emergency door to be marked

94 The emergency door shall be indicated by the words "EMERGENCY DOOR" on the upper part of the door, on both the inside and the outside, in black letters at least 51.20 millimetres high.

4 Sep 87 cV-2.1 Reg 10 s94.

Warning message re stops

95(1) The vehicle shall display the message "THIS SCHOOL BUS STOPS AT ALL UNCONTROLLED RAILWAY CROSSINGS" on a reflective decal as described by Canadian General Standard Board Standard 62-GP level 2 for marking material.

(2) The message shall be located on the rear of the vehicle, above the bumper, as low as practicable.

(3) The message shall be:

- (a) in red retroreflective letters that are at least 51.20 in height; and
- (b) on a yellow retroreflective background 450 millimetres wide and 200 millimetres high.

4 Sep 87 cV-2.1 Reg 10 s95; 30 Oct 98 SR 81/98 s2.

Reflective striping

96 In the case of a vehicle registered as a school bus for the first time after December 31, 1987, a 100 millimetres wide reflective tape as described by Canadian General Standard Board Standard 62 GP level 2 for marking material with alternating black and yellow stripes of 51.20 millimetres wide shall be located on the vehicle, below the windows as high as practicable from front to rear excluding the right service door and the stop arm.

4 Sep 87 cV-2.1 Reg 10 s96.

Tools to be secure

97 The vehicle shall have a container or attachment device that secures all tools and equipment carried on the vehicle.

4 Sep 87 cV-2.1 Reg 10 s97.

Turn signal lamps

98 A vehicle registered for the first time after June 30, 1987, shall have rear turn signal lamps that:

- (a) are not less than 175 millimetres in diameter;
- (b) emit an amber flashing light; and
- (c) are independent of brake lamp and tail lamp circuits.

4 Sep 87 cV-2.1 Reg 10 s98.

Interior lamps

99 The vehicle shall have interior lamps that provide illumination to the aisle and interior.

4 Sep 87 cV-2.1 Reg 10 s99.

Step well lamp

100 The vehicle shall have a lamp that is automatically activated when the door is opened and that illuminates the step well.

4 Sep 87 cV-2.1 Reg 10 s100.

Battery

101 Where the vehicle is 2060 millimetres or less in width, it shall have a battery that:

- (a) has a minimum rating of 425 CCA;
- (b) provides 12 volts;
- (c) has a minimum 100 minute reserve capacity at -18° Celsius; and
- (d) is securely mounted under the hood.

4 Sep 87 cV-2.1 Reg 10 s101.

Electrical circuits

102(1) Except for the ignition and starter circuits, the electrical circuits shall:

- (a) be independent of each other;
- (b) be coded;
- (c) have separate fuses or circuit breakers for each circuit; and
- (d) conform with SAE standard J1292.

(2) Any wire that passes through metal panels or members shall be protected by inserts or grommets.

(3) All joints in electrical wiring shall be connected by solder or by connectors that provide both mechanical and electrical connection.

4 Sep 87 cV-2.1 Reg 10 s102.

Ignition lock

103 The vehicle shall have a starter and ignition system that, under normal circumstances, can only be activated by a key in an ignition lock.

4 Sep 87 cV-2.1 Reg 10 s103.

Alternator

104 A vehicle that is less than 2060 millimetres in width shall have an alternator that has a minimum rating of 68 amps generation and that provides at least 15 amps at the alternator manufacturer's recommended idle speed.

4 Sep 87 cV-2.1 Reg 10 s104.

Rust proofing

105(1) When the vehicle is less than 2060 millimetres in width, it shall have an appropriate coating of zinc chromate or its equivalent:

- (a) on both sides of any metal added by the secondary manufacturer in the fabrication of the body; and
 - (b) on any exposed metal edges created during the fabrication of the body by the secondary manufacturer as a result of drilling, cutting or lapping of joints.
- (2) Where dissimilar metals have been joined in the fabrication of the body, joint shall be sealed with material that prevents electrolysis.

4 Sep 87 cV-2.1 Reg 10 s105.

Bumpers

106(1) The vehicle shall have bumpers that:

- (a) are of the same standard provided by the original chassis manufacturer;
 - (b) are attached directly to the chassis frame;
 - (c) extend the full width of the vehicle; and
 - (d) are of sufficient strength to permit pushing of the vehicle by another like vehicle without causing damage to the vehicle.
- (2) Where the vehicle is over 2060 millimetres in width, the rear bumper shall be designed so as to prevent any person from hitching onto the bumper.

4 Sep 87 cV-2.1 Reg 10 s106.

Reinforcing straps

107(1) Where the vehicle is 2060 millimetres or less in width, it shall have steel reinforcing straps that:

- (a) are a minimum of 75 millimetres wide and 6.40 millimetres thick, or equivalent strength;
- (b) are attached to each side post and extend the full length of each side; and
- (c) are located at a height that is not less than 100 millimetres and not more than 300 millimetres above the floor on the inside of the vehicle.

- (2) The left side strap shall be attached to the left front door post behind the driver's seat and wrapped around the left rear corner post.
- (3) The right side strap shall be attached to the right front door post and be wrapped around the right rear corner posts.
- (4) Alternate strap design may be used when approved by the administrator.

4 Sep 87 cV-2.1 Reg 10 s107.

Interior covering

108 The vehicle shall have ceiling and wall coverings that consist of rigid material and are insulated with material having an insulation value of at least R3.

4 Sep 87 cV-2.1 Reg 10 s108.

Floor

109(1) The vehicle shall have a floor that has an overlay of at least 12.80 millimetres thick plywood securely fastened to the floor pan.

- (2) The overlay shall have a covering of:
 - (a) smooth rubber or vinyl on all areas except the aisle and inside steps; and
 - (b) skid resistant ribbed rubber or vinyl on the aisle and inside steps.
- (3) The covering shall be:
 - (a) free of holes;
 - (b) at least 3 millimetres thick;
 - (c) sealed at all seams; and
 - (d) bonded to the floor with waterproof adhesive.

4 Sep 87 cV-2.1 Reg 10 s109.

Floor pan

110 Where the vehicle is 2060 millimetres or less in width, it shall have a floor pan that is of at least 14 gauge prime commercial quality steel.

4 Sep 87 cV-2.1 Reg 10 s110.

Floor to roof clearance

111 Where the vehicle is 2060 millimetres or less in width, the floor to roof spacing in the area between 300 millimetres from the front of the vehicle to 300 millimetres from the rear of the vehicle shall be not less than:

- (a) 1250 millimetres in the aisle area;
- (b) 1220 millimetres in the seating area.

4 Sep 87 cV-2.1 Reg 10 s111.

Service door

112(1) The vehicle shall have a service door on the right side opposite the driver that provides an opening that is not less than:

- (a) 450 millimetres wide at the narrowest point;
- (b) 580 millimetres wide on average; and
- (c) 1220 millimetres high.

(2) The service door opening shall have a padded header that consists of medium density padding at least 12.80 millimetres thick.

(3) The service door shall have an upper window that:

- (a) consists of safety glass not less than .22 metres² in area; and
- (b) has some means of maintaining the glass free of fog and ice.

4 Sep 87 cV-2.1 Reg 10 s112.

Service door control

113(1) The vehicle shall have a service door control that is within easy reach of the seated driver.

(2) The service door control may be manually operated or power operated with a manual override.

4 Sep 87 cV-2.1 Reg 10 s113.

Handrail

114 The vehicle shall have a grab handle or handrail that is not less than 250 millimetres in length and is located in an unobstructed location inside the service door.

4 Sep 87 cV-2.1 Reg 10 s114.

Inside steps

115(1) The vehicle shall have inside steps that are covered with skid resistant metal backed rubber treads, 5 millimetres thick, with a white nosing at least 38.40 millimetres wide.

(2) The ribs of the covering material shall run parallel to the side of the vehicle.

4 Sep 87 cV-2.1 Reg 10 s115.

Bottom step

116(1) Where the vehicle is 2060 millimetres or less in width, the bottom step shall:

- (a) not extend beyond the width of the body; and
- (b) be located between 280 millimetres and 350 millimetres from the ground.

(2) If the bottom step is located outside the vehicle, it shall be made of expanded metal that sheds snow and ice.

4 Sep 87 cV-2.1 Reg 10 s116.

Emergency door

- 117(1) The vehicle shall have an emergency door that has no steps or obstructions in front of the door opening that constrict the opening to less than 300 millimetres.
- (2) The door shall be located either at the rear or the left hand side of the vehicle and open from both inside and outside the vehicle.
- (3) The door shall have an inside latch release that is protected against accidental opening.
- (4) The door shall have a device that produces an audible signal when the latch has been opened.
- (5) The door shall have a device that prevents the door from swinging beyond a line representing the rearward extension of the side of the vehicle.
- (6) The door opening shall have a header pad not less than 12.80 millimetres thick and of medium density that extends the full width of the opening.
- (7) The door shall have a window in the upper portion that consists of safety glass not less than .25 metres² in area.

4 Sep 87 cV-2.1 Reg 10 s117.

Driver's seat

118 Where the vehicle is 2060 millimetres in width or less, the driver's seat shall:

- (a) have a minimum cushion depth, measured from front to back, of not less than 380 millimetres;
- (b) have legs or a frame that is bolted through the floor with at least four, 6.40 millimetres grade 5 bolts with flat washers at least 32.00 millimetres diameter;
- (c) be adjustable by not less than 75 millimetres fore and aft;
- (d) provide not less than 300 millimetres clearance between the seat back and the steering wheel at its foremost position;
- (e) be adjustable in height so that:
- (i) the upper surface of the cushion can be positioned in a range between 380 millimetres and 450 millimetres above the floor;
- (ii) the adjustments provide seat positions that comply with SAE standard J879b; and
- (iii) the driver is provided with a clear view of the road and is positioned within easy access of all driving controls when the seat-belt is properly fastened.

4 Sep 87 cV-2.1 Reg 10 s118.

Passenger seats

- 119(1)** The passenger seats shall face forward or rearward.
- (2) The seats shall be spaced between 635 millimetres and 710 millimetres apart, measured centre to centre.
- (3) The seats shall be constructed of 25.60 millimetres square or round tubular 16 gauge steel and suitably reinforced.
- (4) The seats shall be installed so that there is an aisle that is not less than 300 millimetres wide at all points along the length of the vehicle from the service door to the emergency door.
- (5) In the case of the left front seat, there shall be a clearance of not less than 200 millimetres between the front of the cushion and the left front retaining barrier, at all points along the width of the seat.

4 Sep 87 cV-2.1 Reg 10 s119.

Seat cushions

- 120(1)** The seats shall have seat cushions that are not less than 380 millimetres measured from front to back, and located not less than 380 millimetres above the floor, measured at the upper surfaces.
- (2) The cushions shall be:
- (a) secured so that they cannot be dislodged by any abrupt stop; and
 - (b) capable of withstanding an upward force of at least five times the weight of the cushion without becoming detached from the seat.
- (3) If the cushions are fitted with hardware that is attached to the plywood base of the seat by screws, the screws shall be anchored by expanders.

4 Sep 87 cV-2.1 Reg 10 s120.

Seat backs

- 121(1)** The seats shall have backs that:
- (a) extend above the surface of the cushions at least 550 millimetres; and
 - (b) are fastened to the seat frames so that they cannot be removed without the use of tools.
- (2) The seat back supports on the ends nearest the aisle shall be slanted away from the aisle so that the lower end of the support is not less than 40.00 millimetres outboard of the top end.

4 Sep 87 cV-2.1 Reg 10 s121.

Seat construction

- 122** The cushions and backs of the seats shall:
- (a) have bases of plywood not less than 9.5 millimetres thick;
 - (b) be padded with foam rubber at least 25.60 millimetres thick, or its equivalent; and
 - (c) be covered with 1.2 kilograms fabric with a backing of 1.0 broken twill.

4 Sep 87 cV-2.1 Reg 10 s122.

Seat supports

123(1) Subject to subsection (2), the seats shall be supported by:

- (a) four legs, each bolted through the floor with two class 5 bolts, 6.40 millimetres in diameter or one class 5 bolt 8.00 millimetres in diameter, where each bolt is fitted with at least a 40.00 millimetres diameter flat metal washer on the underside of the floor;
 - (b) two legs on the inboard end of the seat secured as described in clause (a) and a bolted attachment at the wall end to a 51.20 millimetres by 51.20 millimetres by 6.40 millimetres thick continuous steel angle, or equivalent, that is securely attached to each side post of the vehicle.
- (2) The rear-most seats shall be securely attached to the floor, side or rear of the vehicle by at least two self-tapping screws 8.0 millimetres in diameter and 25.60 millimetres in length for each leg.
- (3) The reinforcing straps mentioned in section 107 may be used to support the outboard legs of the seats.

4 Sep 87 cV-2.1 Reg 10 s123.

Seat strength

124 Except for the rear-most seat, the seats shall be capable of withstanding a horizontal, forward load of 3600 N applied evenly along the back of the seat 450 millimetres above the seat cushion, without visual fracture or distortion of the structural components, joints or floor attachments.

4 Sep 87 cV-2.1 Reg 10 s124.

Seat rail padding

125 Where the seats have exposed top and side rails, the rails shall be padded with medium density energy absorbing material that is not less than:

- (a) 25.60 millimetres thick in the case of top rails;
- (b) 12.80 millimetres thick in the case of side rails.

4 Sep 87 cV-2.1 Reg 10 s125.

Seat belt anchorages

126 If the seats are fitted with seat belts, the seats shall have anchorage points that are of a design that has been approved by the administrator.

4 Sep 87 cV-2.1 Reg 10 s126.

Passenger protection barriers

- 127(1) The vehicle shall have passenger protection barriers located ahead of each front passenger seat that is designed by the manufacturer as a front passenger seat.
- (2) The barriers shall:
- (a) extend the full width of the seat;
 - (b) be approximately equidistant from the front of the vehicle;
 - (c) be no closer to the seat cushion than 200 millimetres; and
 - (d) extend to:
 - (i) the floor in the case of the barrier on the right side;
 - (ii) within 300 millimetres of the floor in the case of the barrier on the left side.
- (3) The barriers shall:
- (a) be as high as the passenger seat backs;
 - (b) be padded in the same manner and to the same extent as the seat backs; and
 - (c) have no openings greater than 225 millimetres² measured vertically.
- (4) The padding shall be of medium density that is not less than 25.60 millimetres in thickness and:
- (a) in the case of a vehicle registered for the first time on or after January 1, 1986, shall be on all rear facing surfaces;
 - (b) in the case of a vehicle other than one described in clause (a), shall extend downward at least 300 millimetres, measuring from the top of the retaining barrier.
- (5) The barriers shall be bolted through the floor with at least four 6.40 millimetres grade 5 bolts with at least 40.00 millimetres flat washers.
- (6) The barriers shall be capable of withstanding a horizontal, forward force of 3600 N applied over an area of 0.2 metres² at the top of the barrier, without visual damage or distortion of the structural material, joints or attachments.

4 Sep 87 cV-2.1 Reg 10 s127.

Stanchions

128 If the vehicle is fitted with vertical stanchions, they shall:

- (a) not obstruct the aisle or entrance;
- (b) be attached to the floor with two, 6.40 millimetres or heavier, grade 5 bolts with at least 40.00 millimetres flat washers;
- (c) be securely attached to the ceiling; and
- (d) be completely padded with 12.80 millimetres or thicker, medium density energy absorbing material.

4 Sep 87 cV-2.1 Reg 10 s128.

Side windows

129(1) Where the vehicle is 2060 millimetres or less in width, it shall have windows along each side that:

- (a) are of safety glass and are so labelled; and
- (b) are spaced not more than 175 millimetres apart.

(2) At least one window on each side shall afford an opening of not less than 400 millimetres by 500 millimetres.

4 Sep 87 cV-2.1 Reg 10 s129.

Outside mirrors

130(1) The vehicle shall have two outside flat mirrors that:

- (a) are located one on the left side and one on the right side, forward of the driver's seat;
- (b) in the case of a vehicle other than one described in subsection (2), are positioned so that they do not obstruct the driver's view to the sides or front;
- (c) have an effective area of at least 15000 millimetres²; and
- (d) are adjustable about the transverse axis and, except in the case of West Coast mirrors, about the vertical axis.

(2) In the case of a vehicle registered for the first time after June 30, 1987, the two outside mirrors shall be of the below eye level type and not of the type known as "Junior West Coast".

4 Sep 87 cV-2.1 Reg 10 s130.

Convex mirrors

131(1) The vehicle shall have one or two convex mirrors.

(2) Where the vehicle has one mirror, the mirror shall:

- (a) be located on the right front corner;
- (b) be of the 180° hemispherical type having an effective diameter of not less than 200 millimetres; and
- (c) provide the seated driver a clear view of some portion of an object 600 millimetres high located anywhere within 1.5 metres of the front and right side of the vehicle.

(3) Where the vehicle has two mirrors, the mirrors shall:

- (a) consist of a crossover mirror with an effective diameter of at least 150 millimetres located at the left front corner and a convex mirror with an effective diameter of at least 100 millimetres located on the right side forward of the driver's seat; and
- (b) provide the seated driver a clear view of some portion of an object 600 millimetres high located anywhere within 1.5 metres of the front and right side of the vehicle.

4 Sep 87 cV-2.1 Reg 10 s131.

Inside mirrors

132 The vehicle shall have an inside mirror that:

- (a) is located so that it provides the seated driver with a clear view of the interior of the vehicle;
- (b) is fitted with clear view safety glass; and
- (c) has rounded edges and corners.

4 Sep 87 cV-2.1 Reg 10 s132.

Rub rails

133(1) The vehicle shall have rub rails that are:

- (a) constructed from continuous 16 gauge steel or material of equivalent strength; and
 - (b) at least 100 millimetres wide, double shouldered and double flanged.
- (2) The rub rails shall be securely attached to the outer panels of the vehicle.
- (3) The rub rails shall be:
- (a) located approximately at seat height, and extend:
 - (i) along the left side, from in front of the driver to the left rear corner; and
 - (ii) along the right side, from the door post to the right rear corner; and
 - (b) located approximately at floor height, and extend:
 - (i) along the left side from in front of the driver to the rear wheel well, and
 - (ii) along the right side from the service door to the rear wheel well.

4 Sep 87 cV-2.1 Reg 10 s133.

Fire resistance of interior materials

134 All passenger compartment materials shall comply with the fire resistance requirements of CMVSS 302.

4 Sep 87 cV-2.1 Reg 10 s134.

Sealing of interior

135 All openings in the floor boards and fire walls in the passenger compartment shall be sealed.

4 Sep 87 cV-2.1 Reg 10 s135.

Heaters

- 136**(1) The vehicle shall have at least two interior heaters.
- (2) One heater shall be at the front of the vehicle and one shall be not less than half way to the rear.
- (3) The heaters shall be of the hot water type and have:
- (a) heater hoses that:
 - (i) are adequately supported;
 - (ii) in the case of hoses within the passenger compartment, are covered to prevent injury to occupants; and
 - (iii) comply with the requirements of SAE standard J20e; and
 - (b) a functional shut-off valve for the hot water supply.
- (4) The rear heater or heaters shall provide not less than 15000 British Thermal Units of heat.
- (5) The heaters shall be capable of maintaining an interior temperature of not less than 5° Celsius when the outside temperature is minus 30° Celsius.
- (6) The front heater may be combined with the windshield defroster.
- (7) The heaters shall be controlled from the driver's seat.

4 Sep 87 cV-2.1 Reg 10 s136.

Ventilation system

- 137** The vehicle shall have a ventilation system that provides fresh air in the stationary vehicle, at a rate of 3 metres³ per minute.

4 Sep 87 cV-2.1 Reg 10 s137.

Body and chassis

- 138** The body and chassis of the vehicle shall not have been modified so that the length of the body, or the wheel base of the vehicle, is changed from that of the original manufacture.

4 Sep 87 cV-2.1 Reg 10 s138.

Undercoating

- 139** The vehicle shall have undercoating that:
- (a) has been applied to under surfaces, including frame members and side panels below the level of the floor, when the surfaces were clean;
 - (b) is of fire resistant material; and
 - (c) seals, insulates and deadens road noise.

4 Sep 87 cV-2.1 Reg 10 s139.

Fire extinguisher

140 The vehicle shall be equipped with a fire extinguisher of a type approved by CSA, UL, FM or ULC and labelled accordingly and rated at least 8 BC or, if the fire extinguisher is of the halogen type, rated at least 1A 5BC.

4 Sep 87 cV-2.1 Reg 10 s140.

Wheels

141(1) Where the vehicle is 2060 millimetres or less in width the minimum wheel size shall be 420 millimetres by 152 millimetres or equivalent.

(2) The capacity of the wheels as rated by the wheel manufacturer shall be equal to or exceed the weight placed on the wheels by the vehicle and the rated load but in no case shall be less than 1,000 kilograms.

4 Sep 87 cV-2.1 Reg 10 s141.

Tires

142 Where the vehicle is 2060 millimetres or less in width, the capacity of the tires as rated by the tire manufacturer shall be equal to or exceed the weight placed on the tires by the vehicle and the rated load but in no case shall the load capacity be less than 1000 kilograms.

4 Sep 87 cV-2.1 Reg 10 s142.

Calculation of load on tires, etc.

143 For the purpose of making calculations under subsection 137(2) and section 138, the rated load shall be deemed to bear 55% on the rear wheels and 45% on the front wheels.

4 Sep 87 cV-2.1 Reg 10 s143.

Fastening of spare tire

144 The spare tire of the vehicle, if carried inside the passenger compartment, shall be secured with a device fastened to the floor with at least three class 5, 6.40 millimetres bolts or one class 5, 12.80 millimetres bolt or equivalent.

4 Sep 87 cV-2.1 Reg 10 s144.

Tire tread depth

145 The tires of the vehicle shall have a tread depth of not less than:

- (a) 3.20 millimetres on the front tires; and
- (b) 1.60 millimetres on the rear tires.

4 Sep 87 cV-2.1 Reg 10 s145.

PART V
Type V Vehicles

Application of Part

146(1) The requirements of this Part apply only to type V vehicles.

(2) Every type V vehicle driven on a highway shall be equipped in accordance with this Part.

(3) Notwithstanding subsection (2), the administrator may approve for use on a highway a type V vehicle that does not comply with this Part.

4 Sep 87 cV-2.1 Reg 10 s146.

Throttle return

147(1) Subject to subsection (2), the vehicle shall have a throttle return device that returns the throttle to the idle position on release of the driver control.

(2) This section applies only where a throttle return device is fitted on the vehicle by the manufacturer.

4 Sep 87 cV-2.1 Reg 10 s147.

Fuel system

148 The fuel lines, fuel filler pipes and permanently mounted fuel tanks of the vehicle shall be secure and free from leaks.

4 Sep 87 cV-2.1 Reg 10 s148.

Exhaust system

149 Where the vehicle is powered by an internal combustion engine, it shall have an exhaust system that:

- (a) discharges exhaust away from the passenger compartment;
- (b) does not pass through the passenger compartment;
- (c) is free from leaks; and
- (d) does not expose any fuel, electrical or brake lines or any combustible material to excessive heat.

4 Sep 87 cV-2.1 Reg 10 s149.

Suspension system

150 The suspension system of the vehicle shall:

- (a) prevent contact between the wheels and chassis; and
- (b) permit vertical movement of the chassis in relation to the wheel assembly.

4 Sep 87 cV-2.1 Reg 10 s150.

Brake system

151 The brake system of the vehicle shall stop the vehicle on a dry, smooth and level paved road within a distance of 16 metres from a speed of 30 kilometres per hour.

4 Sep 87 cV-2.1 Reg 10 s151.

Steering system

152(1) The steering box and steering column shall not:

- (a) be loose; or
- (b) have loose or missing fasteners.

(2) The front wheels shall turn from extreme left to extreme right without contacting any non-rotating component.

4 Sep 87 cV-2.1 Reg 10 s152.

Horn

153 The vehicle shall have a horn or other device that is within easy reach of the operator and that emits a sound audible, under normal conditions, from a distance of at least 40 metres.

4 Sep 87 cV-2.1 Reg 10 s153.

Vehicle identification number

154 The vehicle shall have a vehicle identification number that is sunk into or embossed on a part of the vehicle that is not designed to be removed.

4 Sep 87 cV-2.1 Reg 10 s154.

Headlamps

155 The vehicle shall have at least two headlamps that emit a white light and illuminate a 1000 millimetres by 300 millimetres gray object from a distance of 20 metres.

4 Sep 87 cV-2.1 Reg 10 s155.

Tail lamps

156 The vehicle shall have at least one tail lamp that is located at the rear, emits a red light and is visible from a distance of 200 metres on a clear night.

4 Sep 87 cV-2.1 Reg 10 s156.

Brake lamps

157(1) The vehicle shall have at least one brake lamp that is located at the rear and emits a red light visible from a distance of 60 metres on a clear night.

(2) The brake lamp shall be activated by the application of the brakes.

4 Sep 87 cV-2.1 Reg 10 s157.

Exception re lamps

158 Sections 151 to 153 do not apply to type V vehicles that were not equipped with the lamps mentioned in those sections by the manufacturer when the vehicle is not operated on a highway between one-half hour before sunset and one-half hour after sunrise.

4 Sep 87 cV-2.1 Reg 10 s158.

Reflectors

159 The vehicle shall have at least two red reflectors or reflective tapes that are located at the rear and are visible from a distance of 60 metres when illuminated by type A vehicle headlamps on a clear night.

4 Sep 87 cV-2.1 Reg 10 s159.

Seats

160(1) The vehicle shall have a driver's seat that is securely anchored and affords the seated operator a clear view of the road and access to all driving controls.

(2) All seats for passengers shall be securely anchored unless otherwise installed by the manufacturer.

4 Sep 87 cV-2.1 Reg 10 s160.

Windshield

161 Where the vehicle was equipped with a windshield by the manufacturer, the windshield shall be of safety glass or other material approved by the administrator, and afford the driver a clear view of the road.

4 Sep 87 cV-2.1 Reg 10 s161.

Passenger compartment side windows

162(1) If the passenger compartment of the vehicle has side windows, they shall be of safety glass or other shatter-resistant material.

(2) The vehicle shall have windows or openings on each side that provide the driver with a clear view to the sides.

4 Sep 87 cV-2.1 Reg 10 s162.

Mirror

163 The vehicle shall have at least one mirror that provides the driver with a clear view to the rear.

4 Sep 87 cV-2.1 Reg 10 s163.

Windshield wiper

164 The vehicle shall have at least one functional windshield wiper for the driver's side of the windshield if the vehicle is operated in the rain.

4 Sep 87 cV-2.1 Reg 10 s164.

Tires

165 The vehicle shall have tires that have cords that are not damaged in the sidewall area or exposed in the tread area.

4 Sep 87 cV-2.1 Reg 10 s165.

Wheels

166 The wheels of the vehicle shall not:

- (a) be cracked or excessively bent or field welded;
- (b) have loose or missing wheel studs or nuts; and
- (c) have stud holes that are elongated.

4 Sep 87 cV-2.1 Reg 10 s166.

PART VI Type T Vehicles

Application of Part

167(1) The requirements of this Part apply only to type T vehicles.

(2) Every type T vehicle used on a highway shall be equipped in accordance with this Part.

(3) Notwithstanding subsection (2), the administrator may approve for use on a highway a type T vehicle that does not comply with this Part.

4 Sep 87 cV-2.1 Reg 10 s167.

Certain weights and combinations prohibited

168(1) The weight of a trailer and its load or a combination of trailers and their loads, shall not exceed:

- (a) in the case of a type T-1 vehicle with a gooseneck hitch, a fifth wheel or a weight distributing hitch, twice the GVW of the towing vehicle; or
- (b) in the case of a ball hitch, the GVW of the towing vehicle.

(2) A combination consisting of a motor vehicle on a highway towing two type T vehicles may only be operated if the lead type T vehicle is a semi-trailer, a gooseneck trailer or has two or more axles in tandem.

(3) A combination consisting of a motor vehicle on a highway towing three or more type T vehicles may only be operated with the approval of the administrator and under the terms and conditions specified by the administrator.

(4) A combination consisting of a motor vehicle on a highway towing a type T-1 single or tandem axle vehicle may only be operated where the vertical load applied by the hitch is more than 7% and less than 18% of the total weight of the towed vehicle and its load.

(5) Subsection (4) does not apply to a wagon tongue hitch.

4 Sep 87 cV-2.1 Reg 10 s168.

Axles

169 Where the vehicle was manufactured on or after January 1, 1986, each axle of the vehicle shall be permanently labelled to show:

- (a) the assembler's name or identification; and
- (b) the GAWR of each axle.

4 Sep 87 cV-2.1 Reg 10 s169.

Certain axles prohibited

170 A combination consisting of a motor vehicle on a highway towing a type T-1 vehicle that was manufactured on or after January 1, 1986 shall not be equipped with an axle or suspension designed for the transportation of mobile homes and known as a "single use" axle or "mobile home" axle.

4 Sep 87 cV-2.1 Reg 10 s170.

Steering axle

171 Where any axle or axles on a type T-2 vehicle are spaced more than two metres from any adjacent axle on the same vehicle, one or more of the axles shall be a steering axle or there shall be a point of vehicle articulation between the axles.

4 Sep 87 cV-2.1 Reg 10 s171.

Suspension

172 The vehicle shall have a suspension system that:

- (a) supports the vehicle so that it is approximately level across its width when the vehicle is unloaded and on a level surface;
- (b) allows each wheel to move vertically in relation to the body of the vehicle;
- (c) allows no more than 300 millimetres deviation from a straight line when towed by a vehicle travelling in a straight line on a level surface; and
- (d) has no broken or field welded spring leaves or spring coils and no bent, cracked, broken or disconnected U-bolts, centre bolts, mounting shackles, stabilizers, radius rods or equalizers.

4 Sep 87 cV-2.1 Reg 10 s172.

Axle and suspension loads

173 Except where the administrator or the Department of Highways and Transportation otherwise approves, the loading on any axle of a type T vehicle shall not exceed the GAWR.

4 Sep 87 cV-2.1 Reg 10 s173.

Brake system

174(1) A vehicle that:

- (a) is a type T-1 or type T-2 vehicle;
- (b) has a GVWR of more than 1360 kilograms; or

- (c) has a GVWR that exceeds the GVWR of the towing vehicle by more than 50%;

shall have a brake system that:

- (d) applies braking on wheels on opposite ends of at least one axle, if the vehicle was manufactured before 1985;
 - (e) applies braking on wheels on opposite ends of all axles, if the vehicle was manufactured in or after 1985.
- (2) The brake system shall automatically activate the brakes in the case of a break-away from the towing vehicle without affecting the brakes of the towing vehicle.
 - (3) Where the vehicle has a GVWR of more than 2800 kilograms and is fitted with electric brakes or, where the vehicle has a GVWR of more than 3700 kilograms and is fitted with non-electric brakes, the brake system shall be activated by means of the brake pedal of the towing vehicle.
 - (4) The service brake shall be adjusted so as to apply braking as nearly equal as practicable on the wheels on the opposite ends of the same axle.
 - (5) The brake system shall be maintained so that the service brakes and, where fitted, parking brakes function as designed and have no components that are insecure, misaligned, excessively worn or broken.
 - (6) A type T-2 vehicle shall have a parking brake that:
 - (a) holds the vehicle on a 15% grade with the vehicle facing either up or down the grade while fully loaded; and
 - (b) has a means of application that cannot be released unless it can be immediately re-applied.
 - (7) The brake linings and pads shall not be loose, broken or contaminated by petroleum products.
 - (8) The brake linings and pads shall not be worn beyond the wear limit recommended by the manufacturer or:
 - (a) 0.80 millimetres above the rivet or bolt heads when measured at the crown of the rivetted shoes when the drum is 280 millimetres or less in diameter;
 - (b) 0.80 millimetres above the shoe when measured at the crown of bonded shoes where the drum is 280 millimetres or less in diameter;
 - (c) 1.60 millimetres above the rivet or bolt head when measured at the crown of rivetted shoes where the drum is over 280 millimetres in diameter;
 - (d) 1.60 millimetres above the shoe when measured at the crown of bonded shoes where the drum is over 280 millimetres in diameter;
 - (e) 0.80 millimetres above the rotor or caliper, if bonded.

- (9) The brake drums or rotors shall not be worn in excess of:
- (a) 2.25 millimetres less than the original diameter in the case of drums 280 millimetres in diameter or less;
 - (b) 3.00 millimetres less than the original diameter in the case of drums between 280 millimetres and 320 millimetres in diameter;
 - (c) 4.70 millimetres less than the original diameter in the case of drums over 320 millimetres in diameter;
 - (d) 2.25 millimetres less than the original thickness in the case of rotors less than 300 millimetres in diameter;
 - (e) 3.00 millimetres less than the original thickness in the case of rotors 300 millimetres or more in diameter.
- (10) The brake drums or rotors shall not have been machined in excess of the limit recommended by the manufacturer as marked on the disk or drum, or where not so marked, in excess of:
- (a) 1.50 millimetres in the case of drums 280 millimetres in diameter or less;
 - (b) 2.25 millimetres in the case of drums between 280 and 320 millimetres in diameter;
 - (c) 3.00 millimetres in the case of drums over 320 millimetres in diameter;
 - (d) 1.50 millimetres in the case of disks with a diameter of 305 millimetres or less;
 - (e) 2.25 millimetres in the case of disks over 305 millimetres in diameter.
- (11) If the drum brakes were manufactured after 1980, they shall have a means of adjusting the brakes without removing the drums.

4 Sep 87 cV-2.1 Reg 10 s174.

Maximum weight for vehicles with electric brakes

175 The maximum weight of a combination consisting of a motor vehicle and a type T vehicle that was manufactured after June 30, 1987 and is fitted with electric brakes shall not exceed:

- (a) 3700 kilograms where the vehicle has one axle;
- (b) 5500 kilograms where the vehicle has two or more axles.

4 Sep 87 cV-2.1 Reg 10 s175.

Electric brakes

176(1) Where the vehicle is equipped with electric brakes, the brake system shall:

- (a) have electrical lines that are designed, constructed and maintained in accordance with good engineering practices; and
- (b) meet the requirements of SAE J1292.

(2) The electric brake system shall have a method of automatically applying the brakes, on break-away of the vehicle from the towing vehicle, including a source of power with a minimum 12 volt rating and sufficient current capacity to fully engage the brakes.

4 Sep 87 cV-2.1 Reg 10 s176.

Hydraulic brakes

177 Where the vehicle is equipped with hydraulic brakes, the hydraulic brake system shall have lines and connections that are:

- (a) designed, constructed and maintained in accordance with good engineering practices;
- (b) constructed of materials that meet SAE Standards J1047, J1401 and M1403;
- (c) free from leaks;
- (d) maintained so that they are secure against undue wear, accidental disconnection, chafing or failure from vibration; and
- (e) not crimped or dented in a manner that reduces pressure.

4 Sep 87 cV-2.1 Reg 10 s177.

Air brakes

178(1) Where the vehicle is equipped with air brakes, the air brake system shall have a check valve that will prevent a bleed back of air to the towing vehicle when the air pressure in the towing vehicle is less than that of the trailer.

(2) The air brake system shall have a secondary system that, on failure of the primary air system:

- (a) causes the brakes to be applied automatically; or
- (b) allows the driver to apply the brakes of both the trailer and the towing vehicle;

and brings the fully loaded combination to a stop within 16 metres from a speed of 30 kilometres per hour on a dry, smooth, level, paved surface.

(3) The air reservoir shall have a capacity of:

- (a) at least eight times, if it was manufactured after 1975;
- (b) at least six times, if it was manufactured in or before 1975;

the combined volumes of all service brake chambers at maximum travel of the pistons or diaphragms.

(4) The air brake system shall limit air loss to 10 kPa per minute while the brakes are applied and the engine of the towing vehicle is stopped.

(5) The air brake system shall have fittings, tubes and brake hoses that are designed in accordance with SAE Standards J1402, J1149, J1394 and J844, constructed of suitable materials and maintained so as to be secure against undue wear or accidental disconnection.

4 Sep 87 cV-2.1 Reg 10 s178.

Lamps general

179 All lamps required pursuant to this Part must be securely mounted, meet SAE standards and be visible from a distance of 200 metres on a clear night.

4 Sep 87 cV-2.1 Reg 10 s179.

Tail lamps

180 The vehicle shall have two tail lamps that:

- (a) are located at the rear between 350 millimetres and 2110 millimetres above the road surface;
- (b) are positioned as far apart as practicable;
- (c) emit a red light; and
- (d) are activated by the headlamp control of the towing vehicle.

4 Sep 87 cV-2.1 Reg 10 s180.

Side marker lamps

181(1) Where the vehicle was manufactured after 1971 and is four metres or more in length, including the length of the hitch, the vehicle shall have side marker lamps that are located two on each side of the vehicle not less than 350 millimetres above the ground and as close to the corners as practicable.

(2) The side marker lamps shall:

- (a) be visible from the side;
- (b) emit a red light from the rear-most lamps and an amber light from the foremost lamps; and
- (c) be activated by the headlamp control of the towing vehicle.

(3) In addition to the side marker lamps referred to in subsection (1), a vehicle over 10 metres long, including the length of the hitch, shall have intermediate side marker lamps that:

- (a) emit an amber light;
- (b) are located as close to the horizontal mid-point as practicable; and
- (c) are at least 350 millimetres above the ground.

4 Sep 87 cV-2.1 Reg 10 s181.

Clearance lamps

182 Where the vehicle is over 2060 millimetres in width, it shall have four clearance lamps that:

- (a) are located two facing to the rear and two facing to the front as far apart as practicable;
- (b) emit a red light from the rear facing lamps and an amber light from the front facing lamps;
- (c) are located as high as practicable above the road surface; and
- (d) are activated by the headlamp control of the towing vehicle.

4 Sep 87 cV-2.1 Reg 10 s182.

Combined lamps

183(1) For the purposes of sections 181 and 182, a single lamp may serve as both a side-marker and clearance lamp if it is located at the corner and can be seen from both the end and the side.

(2) Front clearance lamps are not required on vehicles on which it is not practicable to mount lamps 2150 millimetres or more above the ground.

4 Sep 87 cV-2.1 Reg 10 s183.

Brake lamps

184 The vehicle shall have two brake lamps that:

- (a) are located facing the rear;
- (b) are between 350 millimetres and 2100 millimetres above the road surface;
- (c) are positioned as far apart as practicable;
- (d) emit a red light; and
- (e) are activated by any brake of any vehicle in the combination.

4 Sep 87 cV-2.1 Reg 10 s184.

Signal lamps and hazard lamps

185(1) The vehicle shall have two turn signal lamps that:

- (a) are located facing the rear;
- (b) are positioned as far apart as practicable;
- (c) are between 350 millimetres and 2100 millimetres above the road surface;
- (d) emit a flashing amber or red light; and
- (e) are activated by the signal lamp control of the towing vehicle.

- (2) The vehicle shall have two hazard warning lamps that:
- (a) are located facing the rear;
 - (b) are positioned as far apart as practicable;
 - (c) are between 350 millimetres and 2100 millimetres from the road surface;
 - (d) emit a simultaneous flashing amber or red light; and
 - (e) are activated by the hazard lamp control of the towing vehicle.
- (3) For the purposes of subsections (1) and (2), a single lamp may serve as a turn signal lamp and a hazard warning lamp.

4 Sep 87 cV-2.1 Reg 10 s185.

Identification lamps

186(1) Where the vehicle is over 2060 millimetres in width and is a commercial or public service vehicle, it shall have three identification lamps that:

- (a) are located facing the rear as high and as near the centre as practicable;
 - (b) emit a red light; and
 - (c) are activated by the headlamp control of the towing vehicle.
- (2) Subsection (1) does not apply to low-bed trailers.

4 Sep 87 cV-2.1 Reg 10 s186.

Licence plate lamp

187 The vehicle shall have a rear licence plate lamp that:

- (a) emits a white light so that the licence plate is visible from a distance of 100 metres on a clear night; and
- (b) is activated by the headlamp switch.

4 Sep 87 cV-2.1 Reg 10 s187.

Reflectors

188(1) The vehicle shall have reflectors or reflective tapes that are located:

- (a) two facing the rear as far apart as practicable and from 350 to 2100 millimetres above the surface of the road;
 - (b) two on each side as far apart as practicable and from 380 to 530 millimetres above the surface of the road.
- (2) In addition to the reflectors or reflective tapes referred to in subsection (1), reflectors or tapes shall be located near the horizontal mid-point on the side of vehicles over 10 metres in length, including the length of the hitch that:
- (a) emit an amber reflection from the front-most and, where fitted, centre reflectors and a red reflection from the rear-most reflectors; and
 - (b) are visible on a clear night when illuminated by type A vehicle headlamps at a distance of 60 metres.

(3) For the purpose of subsection (1) and (2), lamps with reflective lenses may serve as reflectors.

4 Sep 87 cV-2.1 Reg 10 s188.

Electrical wiring

189 The electrical wiring of the vehicle shall:

- (a) be installed in accordance with good engineering practice;
- (b) conform to SAE Standards J1292;
- (c) not be broken or badly frayed; and
- (d) be of a gauge equal to or heavier than that prescribed in Table 2 of the Appendix, or that installed by the original manufacturer, whichever is less.

4 Sep 87 cV-2.1 Reg 10 s189.

Bumper

190(1) Where the vehicle is longer than four metres including the length of the hitch, it shall have a bumper that is securely mounted at the rear of the vehicle.

(2) Subsection (1) does not apply to boat trailers or vehicles with loading ramps or special equipment that makes the mounting of a bumper impracticable.

4 Sep 87 cV-2.1 Reg 10 s190.

Sharp edges

191 No vehicle shall have rigid sharp edges of sheet metal, bumper, fender molding or any other parts that protrude more than 100 millimetres beyond the side of the vehicle at its widest point.

4 Sep 87 cV-2.1 Reg 10 s191.

Fenders or mudflaps

192(1) Subject to subsections (2) and (3), the vehicle shall have for each tire, a fender, mudflap or body overhang that:

- (a) reduces the rearward projection of gravel, mud, water and snow from the tire;
- (b) is located so that the lowest point of the fender, mudflap or body overhang is above the ground a distance that is not greater than two thirds of the horizontal distance from that point to the centre of the wheel; and
- (c) extends across the full width of the tire.

(2) Subsection (1) applies to wheels on steering axles only when the wheels are in the straight ahead position.

4 Sep 87 cV-2.1 Reg 10 s192.

Deck condition

193 Where the vehicle is equipped with a floor or deck, the floor or deck shall be constructed and maintained so that:

- (a) cargo is prevented from falling from the vehicle; and
- (b) risk of injury to any animal being transported is minimized.

4 Sep 87 cV-2.1 Reg 10 s193.

Door and gate latches

194 Where the vehicle is fitted with a door or gate, the door or gate shall have a latch that prevents the door or gate from being opened by road motion or vibration.

4 Sep 87 cV-2.1 Reg 10 s194.

Windows

195 Where the vehicle has windows, they shall be of plastic or of safety glass.

4 Sep 87 cV-2.1 Reg 10 s195.

Tires

196(1) The vehicle shall have tires that, at the time of manufacture, complied with the CMVTSS.

(2) Where the tires are dual tires, they shall be matched within 12.80 millimetres in actual diameter.

(3) Where the vehicle is a type T-1 vehicle, the tires shall not be worn or damaged so that the cord is exposed.

(4) Where the vehicle is a type T-2 vehicle other than a vehicle transporting dangerous goods, the tires shall have detectable tread across the width of the tire measured at any three points equally spaced around the circumference of the tire.

(5) Where the vehicle is a type T-2 vehicle transporting dangerous goods, the tires shall have at least 1.60 millimetres tread thickness measured in any two major grooves at any three points equally spaced around the circumference of the tire.

4 Sep 87 cV-2.1 Reg 10 s196.

Wheels

197 The wheels of the vehicle shall not:

- (a) be cracked, excessively bent or field welded;
- (b) have loose or missing wheel studs or nuts; or
- (c) have stud holes that are elongated.

4 Sep 87 cV-2.1 Reg 10 s197.

Hitch

198 A combination consisting of a motor vehicle towing a type T-1 vehicle with a GVWR greater than 1400 kilograms shall have the hitch of the motor vehicle attached directly to the body or frame of the motor vehicle.

4 Sep 87 cV-2.1 Reg 10 s198.

Safety chain

199(1) Where the vehicle has a hitch coupled by any means other than a fifth wheel, the vehicle shall have a secondary coupling device that:

- (a) prevents complete disconnection of the vehicle from the towing vehicle in the event of accidental disconnection of the primary coupling device; and
 - (b) prevents the tongue from dropping to the ground in the event that the primary coupling device becomes disconnected.
- (2) The secondary coupling device shall not be attached to the primary coupling device.
- (3) Where the secondary coupling device is a cable or chain, it shall be connected to the trailer, looped under the tow bar and connected to the towing vehicle.
- (4) Where the secondary coupling device is a chain, the chain shall have steel links that are at least:
- (a) 4.80 millimetres diameter for a vehicle with a GVWR of 900 kilograms or less;
 - (b) 6.40 millimetres diameter for a vehicle with a GVWR greater than 900 kilograms but not greater than 1600 kilograms;
 - (c) 8.00 millimetres diameter for a vehicle with a GVWR greater than 1600 kilograms but not greater than 2270 kilograms;
 - (d) 9.60 millimetres diameter for a vehicle with a GVWR greater than 2270 kilograms.

4 Sep 87 cV-2.1 Reg 10 s199.

Ball type hitch

200 If the towing vehicle is equipped with a ball type hitch, the coupler of the trailer shall be fully closed and there shall be no excessive loosening of the connection.

4 Sep 87 cV-2.1 Reg 10 s200.

Gooseneck trailer

201 If the vehicle is a gooseneck trailer, the neck shall have a rated strength equal to or greater than the combined weight of the vehicle and its load.

4 Sep 87 cV-2.1 Reg 10 s201.

Strength of type T-2 coupler

202 If the vehicle is a type T-2 vehicle coupled other than by a fifth wheel, the secondary coupling device shall have a rated strength that is not less than 1.5 times the total weight of the vehicle and its load.

4 Sep 87 cV-2.1 Reg 10 s202.

Semi-trailer coupler

203(1) Where the vehicle is a semi-trailer, the coupler assembly shall have a king pin and upper coupler plate that have rated capacities equal to or greater than the combined weight of the vehicle and load.

(2) The coupler assembly shall be maintained so that the contact area between the upper coupler plate and the fifth wheel of the towing vehicle is at least 75% of the total area of the coupler plate.

(3) Where a vehicle has a GVWR of more than 12000 kilograms, the coupler assembly shall have a king pin with a minimum diameter of 44.80 millimetres at the throat and 64.00 millimetres at the upper and lower section.

(4) Where the vehicle has a GVWR of 12000 kilograms or less, the coupler assembly shall have a king pin with a minimum diameter of 38.40 millimetres at the throat and 51.20 millimetres at the upper and lower section.

(5) The king pin shall be free of cracks and have less than 3.00 millimetres wear in the diameter of any part.

4 Sep 87 cV-2.1 Reg 10 s203.

Vehicle identification number

204 The vehicle shall have a vehicle identification number that is stamped into or affixed on the frame of the vehicle so that it is visible without removing any part.

4 Sep 87 cV-2.1 Reg 10 s204.

Labelling of trailers

205 The manufacturer for sale of a trailer shall affix to it in a visible place a permanent label showing:

- (a) the name and address of the manufacturer; and
- (b) the GAWR or the GVWR for the trailer.

4 Sep 87 cV-2.1 Reg 10 s205.

PART VII

Tow Dollies – Type T-3 Vehicles

Application of Part

206(1) The requirements of this Part apply only to tow dollies and vehicles towed using tow dollies.

(2) Every type T-3 vehicle driven on a highway shall be equipped in accordance with this Part.

(3) Notwithstanding subsection (2), the administrator may approve for use on a highway a type T-3 vehicle that does not comply with this Part.

4 Sep 87 cV-2.1 Reg 10 s206.

Certain weights prohibited

207 The combined weight of a tow dolly and a vehicle that is supported by a tow dolly shall not exceed:

- (a) 2800 kilograms; or
- (b) twice the weight of the towing vehicle;

whichever is less.

4 Sep 87 cV-2.1 Reg 10 s207.

Locking device required

208(1) Where a tow dolly is equipped with king pins and steerable wheels, it shall have a locking device that locks the wheels in the straight ahead position at all times while in tow.

(2) Where the tow dolly supports the rear wheels of the vehicle in tow or where the tow dolly is equipped with a turntable, the front wheels of the vehicle in tow shall be locked in the straight ahead position.

4 Sep 87 cV-2.1 Reg 10 s208.

Brakes

209 Where the combined weight of the towed vehicle and the tow dolly exceed 50% of the GVW of the towing vehicle, the tow dolly shall have brakes.

4 Sep 87 cV-2.1 Reg 10 s209.

Lamps general

210 All lamps on a tow dolly shall meet SAE standards and be visible from a distance of 200 metres on a clear night.

4 Sep 87 cV-2.1 Reg 10 s210.

Tail lamps

211 A tow dolly being towed empty, or a combination consisting of a tow dolly and a towed vehicle, shall have two tail lamps that:

- (a) are located at the rear of the combination between 350 millimetres and 2110 millimetres above the road surface;
- (b) are positioned as far apart as practicable;
- (c) emit a red light;
- (d) are activated by the headlamp control of the towing vehicle.

4 Sep 87 cV-2.1 Reg 10 s211.

Brake lamps

212 A tow dolly being towed empty, or a combination consisting of a tow dolly and a towed vehicle, shall have two brake lamps that:

- (a) are located at the rear of the combination between 350 millimetres and 2110 millimetres above the road surface;
- (b) are positioned as far apart as practicable;
- (c) emit a red light; and
- (d) are activated by any brake of any vehicle in the combination.

4 Sep 87 cV-2.1 Reg 10 s212.

Signal lamps

213 A tow dolly being towed empty, or a combination consisting of a tow dolly and a towed vehicle, shall have two turn signal lamps that:

- (a) are located at the rear of the combination;
- (b) are positioned as far apart as practicable;
- (c) are between 350 millimetres and 2110 millimetres above the road surface;
- (d) emit a flashing amber or red light; and
- (e) are activated by the signal lamp control of the towing vehicle.

4 Sep 87 cV-2.1 Reg 10 s213.

Clearance lamps

214 Where the width of a tow dolly being towed empty, or of a combination consisting of a tow dolly and a towed vehicle, is over 2060 millimetres, the tow dolly or the combination shall have four clearance lamps that:

- (a) are located two facing to the rear and two facing to the front;
- (b) are positioned as far apart as practicable;
- (c) emit a red light from the rear facing lamps and an amber light from the front facing lamps; and
- (d) are activated by the headlamp control of the towing vehicle.

4 Sep 87 cV-2.1 Reg 10 s214.

Side marker lamps

215 A tow dolly being towed empty, or a combination consisting of a tow dolly and a towed vehicle, shall have two side marker lamps that are located on the side and at the rear of the combination, emit a red light and are activated by the headlamp control.

4 Sep 87 cV-2.1 Reg 10 s215.

Light bar permitted

216 Lamps required by sections 211 to 215 may be attached to a light bar temporarily attached to either the tow dolly or the towed vehicle.

4 Sep 87 cV-2.1 Reg 10 s216.

Securing device

217(1) The tow dolly shall have a securing device that secures the wheels supported by the tow dolly to the tow dolly.

(2) The securing device shall have a load rating that is not less than the weight of the towed vehicle.

4 Sep 87 cV-2.1 Reg 10 s217.

Hitch

218 The hitch of the towing dolly shall comply with hitch requirements for type T-1 vehicles.

4 Sep 87 cV-2.1 Reg 10 s218.

Certain combinations prohibited

219 A tow dolly may only be towed in a four-vehicle combination if the lead type T vehicle is a semi-trailer, a gooseneck trailer or a tandem axle trailer.

4 Sep 87 cV-2.1 Reg 10 s219.

PART VIII Type M Vehicles

Application of Part

220(1) The requirements of this Part apply only to type M vehicles.

(2) Every type M vehicle driven on a highway shall be equipped in accordance with this Part.

(3) Notwithstanding subsection (2), the administrator may approve for use on a highway a type M vehicle that does not comply with this Part.

4 Sep 87 cV-2.1 Reg 10 s220.

CMVSS standards apply

221 Every type M vehicle shall comply with the appropriate CMVSS at the time of manufacture and bear a label of compliance.

4 Sep 87 cV-2.1 Reg 10 s221.

Exhaust system

222 The vehicle shall have an exhaust system that is adequately shielded to prevent excessive heat transfer to the fuel and brake systems and to prevent injury to the operator or passenger.

4 Sep 87 cV-2.1 Reg 10 s222.

Mufflers

223(1) The vehicle shall have one or more mufflers that:

- (a) ensure that exhaust gases are cooled; and
- (b) effectively reduce combustion noise.

(2) Every muffler shall be adequately shielded to prevent excessive heat transfer to the fuel and brake system or to the operator or passenger.

4 Sep 87 cV-2.1 Reg 10 s223.

Fuel system

224 The vehicle shall have a fuel system that:

- (a) has a filler cap or closing device on the tank that prevents spillage of fuel and unrestricted release of vapour; and
- (b) has a tank and fuel lines that are free of leaks and securely mounted or attached.

4 Sep 87 cV-2.1 Reg 10 s224.

Drive train guard

225 The vehicle shall have a guard for the drive chain, belt or shaft that prevents injury to the driver or passenger.

4 Sep 87 cV-2.1 Reg 10 s225.

Ground clearance

226 The vehicle shall have a minimum of 100 millimetres and a maximum of 320 millimetres clearance between the ground and the lowest point of the power train cases.

4 Sep 87 cV-2.1 Reg 10 s226.

Wheel base

227 The vehicle shall have a minimum wheel base of 1040 millimetres.

4 Sep 87 cV-2.1 Reg 10 s227.

Brake system

228(1) The vehicle shall have at least one brake system.

(2) If the vehicle has one brake system, application of the brakes shall apply brakes to both the front and the rear wheels.

(3) If the vehicle has two brake systems:

- (a) each brake system shall have a separate means of application;
- (b) one brake system shall be effective on the front wheel; and
- (c) one brake system shall be effective on the rear wheel.

(4) The brake system, or if there is more than one brake system, the brake systems together, shall stop the vehicle in an upright position, from a speed of 30 kilometres per hour within a distance of eight metres on a dry, smooth, level, paved surface without deviating by more than 300 millimetres from a straight line.

4 Sep 87 cV-2.1 Reg 10 s228.

Forks

229(1) Where the front forks are not those provided by the manufacturer of the vehicle, they shall:

- (a) not exceed the vehicle manufacturer's specified length by more than 250 millimetres as measured from the centre of the front axle to the bottom of the steering column when the vehicle is unloaded; or
- (b) have been approved by the administrator.

(2) Where the vehicle has extended forks, the fork tubes shall be one continuous piece of metal with no splices or joints.

4 Sep 87 cV-2.1 Reg 10 s229.

Handlebars

230 The vehicle shall have handlebars that:

- (a) have grips that are no higher than the shoulders of the seated driver; and
- (b) do not exceed the overall width of those provided by the vehicle manufacturer.

4 Sep 87 cV-2.1 Reg 10 s230.

Speedometer

231(1) The vehicle shall have an instrument that will provide the driver with an accurate indication of speed in miles or kilometres per hour or in engine revolutions per minute.

(2) Subsection (1) does not apply to limited speed motorcycles.

4 Sep 87 cV-2.1 Reg 10 s231.

Horn

232(1) The vehicle shall have a horn that emits a sound that is audible, under normal conditions, from a distance of 60 metres.

(2) The horn activation control shall be within reach of the seated driver.

4 Sep 87 cV-2.1 Reg 10 s232.

Controls and instruments

233(1) All operating controls shall be within reach of the operator when the operator is seated normally in the saddle.

(2) All instruments shall be visible to the operator when the operator is seated normally in the saddle.

4 Sep 87 cV-2.1 Reg 10 s233.

Helmets

234(1) A helmet worn by the operator and every passenger of the vehicle must bear a manufacturer's or distributor's mark showing that the helmet meets the standards of: BSI, CSA, DOT, Snell or ANSI.

(2) A helmet worn by the operator and every passenger of the vehicle must be securely fastened to the operator's head or the passenger's head, as the case may be, by the straps and fasteners supplied by the manufacturer.

19 Mar 93 SR 20/93 s8.

Eye protection

235(1) The operator of the vehicle shall wear goggles, glasses or a face shield made of transparent, shatter-proof material free from scratches or distortion that would impair the operator's vision.

(2) Subsection (1) does not apply where the vehicle has a windshield that deflects the air stream away from the driver's face.

4 Sep 87 cV-2.1 Reg 10 s235.

Vehicle identification and engine serial numbers

236(1) The vehicle identification number shall be sunk into, attached to or embossed on the frame of the vehicle so that it is visible without removing any part.

(2) The engine of the vehicle shall have a serial number that is sunk into, attached or embossed on the engine block.

4 Sep 87 cV-2.1 Reg 10 s236.

Lamps general

237 The lamps required pursuant to this Part shall comply with SAE standards and, except for headlamps, shall emit light that is visible from a distance of 200 metres on a clear night.

4 Sep 87 cV-2.1 Reg 10 s237.

Headlamps

238(1) The vehicle shall have one or more headlamps that are arranged in a symmetrical pattern about the vertical mid-point of the vehicle.

(2) Except in the case of a limited speed motorcycle, the vehicle headlamps shall have a high beam and a low beam.

(3) The headlamp system shall have a means of selecting between the high beam and the low beam without interruption of light.

(4) The headlamp shall, while on high beam or low beam, emit a white light visible from a distance of 500 metres on a clear night.

(5) The low beam shall illuminate a gray object 1000 millimetres by 300 millimetres from a distance of 50 metres on a clear night.

- (6) The high beam shall illuminate a gray object 1000 millimetres by 300 millimetres from a distance of 50 metres on a clear night.
- (7) A limited speed motorcycle is not required to have a high beam.
- (8) The headlamp shall be activated automatically when any forward gear is engaged with the engine running.
- (9) The low beam shall be focused so that:
 - (a) the left edge of the high intensity zone is no more than 100 millimetres right or left of straight ahead; and
 - (b) the top edge of the high intensity zone is no more than 100 millimetres above or below the height of the lamp;

when illuminating a screen at a distance of eight metres with the vehicle on level ground.

4 Sep 87 cV-2.1 Reg 10 s238.

Driving lamps

239 Where the vehicle is fitted with auxiliary driving lamps or fog lamps, they shall be mounted no higher than the headlamps and focused at least as low and as far to the right as the low beam or connected so that they are turned off when the low beam is activated.

4 Sep 87 cV-2.1 Reg 10 s239.

Tail lamp

240 The vehicle shall have a tail lamp that:

- (a) is located at the rear;
- (b) emits a red light that is visible from any point along a 180° horizontal arc; and
- (c) is activated by the headlamp control.

4 Sep 87 cV-2.1 Reg 10 s240.

Brake lamp

241 The vehicle shall have a brake lamp that:

- (a) faces the rear;
- (b) emits a red light; and
- (c) is activated by the application of brakes on any wheel.

4 Sep 87 cV-2.1 Reg 10 s241.

Signal lamps

242(1) The vehicle shall have signal lamps that:

- (a) are positioned as far apart as practicable;
 - (b) emit a red or amber light to the rear and an amber light to the front; and
 - (c) flash on activation of a turn signal control located within easy reach of the driver.
- (2) One lamp may serve front and rear if that lamp is visible from the front and rear.
- (3) Subsection (1) does not apply to vehicles manufactured before January 1, 1974.

4 Sep 87 cV-2.1 Reg 10 s242.

Licence plate lamp

243(1) The vehicle shall have a licence plate lamp that illuminates the licence plate with a white light so that the licence plate is visible from a distance of 15 metres on a clear night.

- (2) The licence plate lamp shall be activated by the headlamp control.

4 Sep 87 cV-2.1 Reg 10 s243.

Clearance lamps

244 Where the vehicle is fitted with a sidecar, the sidecar shall have at least one clearance lamp that:

- (a) emits a red light to the rear and an amber light to the front;
- (b) is located as close to the extremity of the side car as practicable; and
- (c) is activated by the headlamp control.

4 Sep 87 cV-2.1 Reg 10 s244.

Reflectors

245(1) The vehicle shall have reflectors or reflective tapes that:

- (a) are located at the rear and on each side at the front and rear;
 - (b) emit a red reflection from the rear and rear side reflectors and an amber reflection from the front side reflectors; and
 - (c) are visible from a distance of 60 metres when illuminated by type A vehicle headlamps on a clear night.
- (2) For the purpose of subsection (1), reflective lenses of lamps may serve as reflectors.

4 Sep 87 cV-2.1 Reg 10 s245.

Electrical wiring

246 The electrical wiring of the vehicle shall:

- (a) conform to SAE J 1292;
- (b) be installed in accordance with good engineering practice; and
- (c) be of a gauge equal to or heavier than that provided by the vehicle manufacturer.

4 Sep 87 cV-2.1 Reg 10 s246.

Fenders and mudflaps

247 The vehicle shall have fenders or mudflaps for the full width of the tires that reduce rearward projection of gravel, mud, water and snow from the tires.

4 Sep 87 cV-2.1 Reg 10 s247.

Saddle

248 The upper surface of the seat or saddle of the vehicle shall be not less than 500 millimetres above the ground when loaded with a 70 kilograms load.

4 Sep 87 cV-2.1 Reg 10 s248.

Main frame

249 The main frame of the vehicle shall be not less than 650 millimetres above the ground at the point where contact is made with the handlebars.

4 Sep 87 cV-2.1 Reg 10 s249.

Foot pegs and pillion

250(1) When a passenger is being transported on the vehicle, the vehicle shall be fitted with foot pegs.

- (2) The foot pegs shall fold rearward and upward when not in use.
- (3) The vehicle shall not be used to carry a passenger unless the operator's seat is designed to carry two people or there is a separate passenger seat.

4 Sep 87 cV-2.1 Reg 10 s250.

Windshield

251 Where the vehicle is equipped with a windshield the windshield shall not:

- (a) be cracked from one edge to any other edge; and
- (b) be scratched, discoloured or otherwise marred so that the driver's view of the road is obscured.

4 Sep 87 cV-2.1 Reg 10 s251.

Mirror

252 The vehicle shall have a mirror that:

- (a) has an effective area of at least 5500 millimetres²; and
- (b) provides the driver a clear view to the rear.

4 Sep 87 cV-2.1 Reg 10 s252.

Protruding material

253 No part of the motorcycle shall extend beyond the width of the handlebars in a manner that creates a hazard for pedestrians.

4 Sep 87 cV-2.1 Reg 10 s253.

Tires

254 The vehicle shall have tires that have a rated capacity equal to or greater than the load being supported.

4 Sep 87 cV-2.1 Reg 10 s254.

Wheels

255 The wheels of the vehicle shall have:

- (a) a minimum diameter of 250 millimetres; and
- (b) no bent or missing spokes and no bent or cracked rims.

4 Sep 87 cV-2.1 Reg 10 s255.

PART VIII.1**Type S Vehicles****Application of Part**

255.1(1) The requirements of this Part apply only to type S vehicles.

(2) Subject to subsection (3), every type S vehicle must be equipped in accordance with this Part.

(3) The requirements of this Part do not apply to a type S vehicle that is operated on private land that:

- (a) is owned by the owner or operator of the type S vehicle being operated; or
- (b) is owned by a person other than a person mentioned in clause (a), if the owner of the land has given his or her consent, either expressly or by implication, to use the land for the operation of the type S vehicle.

(4) Notwithstanding subsections (2) and (3), the administrator may approve for use a type S vehicle that does not comply with this Part.

13 Feb 98 SR 10/98 s4.

CMVSS standards apply

255.11 Every type S vehicle is to comply with the appropriate CMVSS at the time of manufacture and bear a label of compliance.

13 Feb 98 SR 10/98 s4.

Exhaust system

255.12 Every type S vehicle is to have an exhaust system that:

- (a) is securely mounted and free of abnormal exhaust leaks;
- (b) is adequately shielded to prevent excessive heat transfer to the fuel and brake systems and to prevent injury to the operator or passenger;
- (c) is fitted with one or more mufflers; and
- (d) has shields that are securely mounted.

13 Feb 98 SR 10/98 s4.

Fuel system

255.2 Every type S vehicle is to have a fuel system that:

- (a) has a filler cap or closing device on the tank that prevents spillage of fuel and unrestricted release of vapour;
- (b) has a tank and fuel lines that are free of leaks and securely mounted or attached; and
- (c) has fuel lines constructed of a material approved for fuel transfer.

13 Feb 98 SR 10/98 s4.

Drive guard

255.21(1) Every type S vehicle is to be equipped with a guard for the drive chain, belt or shaft that is securely mounted and positioned to prevent injury to the driver or passenger.

(2) If type S vehicle is driven by a propeller, the vehicle is to be equipped with a guard or shield over the propeller that is securely mounted and positioned to prevent injury to the driver or passenger.

13 Feb 98 SR 10/98 s4.

Brake system

255.22(1) Every type S vehicle is to have a brake system that:

- (a) will stop and hold the track or wheels in a stationary position on a 15% grade; and
- (b) will stop the vehicle from a speed of 13 kilometres per hour within a distance of six metres.

(2) Every type S vehicle must have a brake system that functions so that brake shoes or pads and the brake drums or rotors are not worn in excess of the manufacturer's specifications.

13 Feb 98 SR 10/98 s4.

Steering

255.3 Every type S vehicle is to be equipped with a steering system that:

- (a) has handle bars with grips that are no higher than the shoulders of the seated driver; and
- (b) has no broken components, missing components, or components that are worn in excess of manufacturer's specifications.

13 Feb 98 SR 10/98 s4.

Suspension

255.31 Every type S vehicle is to be equipped with a suspension system that has no broken parts, missing parts or parts that are worn in excess of the manufacturer's specifications.

13 Feb 98 SR 10/98 s4.

Occupant support

255.32 Every type S vehicle is to have a saddle that:

- (a) is padded with energy absorbing material that is not less than 60 millimetres thick; and
- (b) is secured to the vehicle.

13 Feb 98 SR 10/98 s4.

Throttle return

255.4 Every type S vehicle is to have a throttle return device that returns the throttle to the idle position when the hand control is released.

13 Feb 98 SR 10/98 s4.

Kill switch

255.41 If originally equipped by the manufacturer, the type S vehicle is to be equipped with a kill switch that stops the engine in the event the type S vehicle operator is ejected from the saddle or out of reach of the controls.

13 Feb 98 SR 10/98 s4.

Controls

255.42 All operating controls are to be within reach of the operator when the operator is seated normally in the saddle.

13 Feb 98 SR 10/98 s4.

Helmets

255.5(1) A helmet required to be worn by the operator and passengers pursuant to subsection 22(2) of *The Snowmobile Act* must bear a manufacturer's or distributor's mark showing that the helmet meets the standards of BSI, CSA, DOT, Snell or ANSI.

(2) Where goggles, glasses or a face shield are worn by a type S vehicle operator or passenger in conjunction with a helmet, they must be constructed of transparent, safety material free from scratches or distortion that would impair vision.

13 Feb 98 SR 10/98 s4.

Windshield

255.51 Where the type S vehicle is equipped with a windshield:

- (a) the windshield must be constructed of transparent, shatter-proof material free from scratches or distortion that would impair the operator's vision; and
- (b) the windshield must not be cracked from one edge to another edge.

13 Feb 98 SR 10/98 s4.

Vehicle identification numbers

255.6 Every type S vehicle identification number is to be sunk into, attached to or embossed on the frame of the vehicle so that it is visible without removing any part.

13 Feb 98 SR 10/98 s4.

Lamps general

255.61 The lamps required pursuant to this Part are to be securely mounted, not have missing or broken lenses and comply with SAE standards and, except for headlamps, are to emit light that is visible from a distance of 200 metres on a clear night.

13 Feb 98 SR 10/98 s4.

Headlamps

255.7(1) Every type S vehicle is to be fitted with one or more headlamps that emit a white or amber light.

(2) The beam of a headlamp must illuminate a grey object 1,000 millimetres by 300 millimetres from a distance of 50 metres on a clear night.

13 Feb 98 SR 10/98 s4.

Tail lamp

255.71 Every type S vehicle is to have a tail lamp that:

- (a) is located at the rear;
- (b) emits a red light that is visible from the rear; and
- (c) is activated by the headlamp control.

13 Feb 98 SR 10/98 s4.

Brake lamp

255.8 Every type S vehicle is to have a brake lamp that:

- (a) faces the rear;
- (b) emits a red light; and
- (c) is activated by the application of brakes.

13 Feb 98 SR 10/98 s4.

Reflectors

255.81(1) Every type S vehicle is to have reflectors or reflective tapes that:

- (a) are located at the rear and on each side at the front and rear;
- (b) emit a red reflection from the rear and rear side reflectors and an amber reflection from the front side reflectors; and
- (c) are visible from a distance of 60 metres when illuminated by an exterior light source on a clear night.

(2) For the purpose of subsection (1), reflective lenses of lamps may serve as reflectors.

13 Feb 98 SR 10/98 s4.

Electrical wiring

255.9 The electrical wiring of every type S vehicle must:

- (a) conform to SAE J 1292;
- (b) be installed in accordance with good engineering practice; and
- (c) be of a gauge equal to or heavier than that provided by the vehicle manufacturer.

13 Feb 98 SR 10/98 s4.

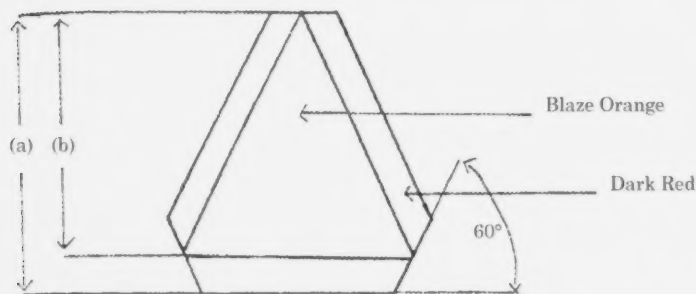
Protruding material

255.91 No part of a type S vehicle is to extend beyond the width of the handlebars in a manner that creates a hazard for pedestrians.

13 Feb 98 SR 10/98 s4.

Appendix

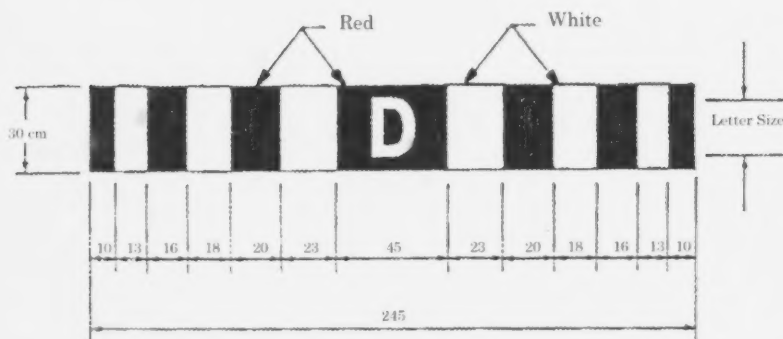
FORM A
Slow Moving Vehicle Warning Device



(a) 35.5 cm

(b) 30.5 cm

FORM B
Overdimensional Sign — Power Unit



FORM C
Overdimensional Sign — Pilot Car

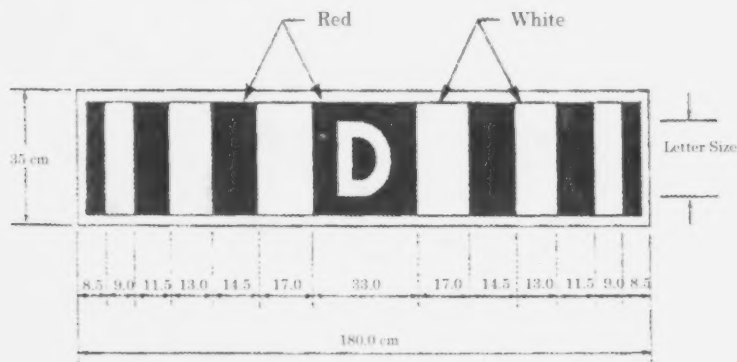


TABLE 1
[Section 2(3)]

0.80 millimetres is equal to	1/32 inch
1.50 millimetres is equal to	.060 inch
1.60 millimetres is equal to	1/16 inch
2.25 millimetres is equal to	.090 inch
3.00 millimetres is equal to	.120 inch
3.20 millimetres is equal to	1/8 inch
4.70 millimetres is equal to	.185 inch
4.80 millimetres is equal to	3/16 inch
6.40 millimetres is equal to	1/4 inch
8.00 millimetres is equal to	5/16 inch
9.60 millimetres is equal to	3/8 inch
12.80 millimetres is equal to	1/2 inch
25.60 millimetres is equal to	1 inch
32.00 millimetres is equal to	1 1/4 inches
38.40 millimetres is equal to	1 1/2 inches
40.00 millimetres is equal to	1 9/16 inches
44.80 millimetres is equal to	1.75 inches
51.20 millimetres is equal to	2 inches
64.00 millimetres is equal to	2.5 inches
15 kPa is equal to	2 psi
20 kPa is equal to	3 psi
30 kPa is equal to	4 psi
35 kPa is equal to	5 psi
80 kPa is equal to	12 psi
160 kPa is equal to	25 psi
315 kPa is equal to	45 psi
350 kPa is equal to	60 psi
600 kPa is equal to	100 psi
3600 Newtons is equal to	800 pounds

4 Sep 87 cV-2.1 Reg 10.

TABLE 2
[Sections 45 and 185]

<i>Length</i> Maximum current	<i>0 - 6 m</i> Gauge	<i>6.001 - 12 m</i> Gauge	<i>Over 12 m</i> Gauge
4 amps	16	16	14
6 amps	16	14	14
8 amps	16	14	12
10 amps	16	12	12
15 amps	14	12	10
24 amps	12	10	8
50 amps	10	6	4

4 Sep 87 cV-2.1 Reg 10.

The Wildlife Regulations, 1981

being

Chapter W-13.1 Reg 1 (effective August 11, 1981) as amended by Saskatchewan Regulations 63/82, 116/82, 71/83, 103/83, 128/83, 149/83, 42/84, 94/84, 110/84, 4/85, 100/85, 93/86, 34/87, 65/87, 85/87, 119/87, 73/88, 17/89, 82/89, 64/90, 27/91, 59/91, 76/92, 32/93, 79/93, 45/94, 19/95, 70/95, 50/96, 64/96, an Errata Notice (Gazetted December 27, 1991), 80/96, 13/97, 87/97, 18/98, 38/98, 77/98, 78/98, 52/1999, 71/2000, 102/2000, 19/2002, 13/2003, 67/2004, 32/2006, 61/2007, 129/2008 and 35/2009.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER W-13.1 REG 1

The Wildlife Act

PART I General TITLE

Title

- 1 These regulations may be cited as *The Wildlife Regulations, 1981*.

INTERPRETATION

Interpretation

- 2 In these regulations:

- (a) **"Act"** means *The Wildlife Act, 1998*;
- (b) **"all-terrain vehicle"** means any motorized vehicle designed for off-highway travel on or over unprepared surfaces, natural terrain, water, snow, ice, marsh or swamp land, and includes any of the following when designed for that type of travel:
 - (i) amphibious vehicles;
 - (ii) ground effect or air-cushion vehicles;
 - (iii) motorcycles and related two-wheel, three-wheel and four-wheel vehicles;
 - (iv) snow vehicles;
 - (v) track vehicles;
 - (vi) four-wheel drive vehicles;
 - (vii) low-pressure tire vehicles;
 - (viii) any toboggan, trailer or other attachment to an all-terrain vehicle;
 - (ix) any other means of transportation that is driven by power other than muscular power or wind;but does not include:
 - (x) motor boats;
 - (xi) four-wheel drive vehicles classed as type A vehicles in accordance with *The Vehicle Equipment Regulations, 1987* pursuant to *The Vehicle Administration Act*;

- (b.1) **"antlerless"**, in the case of white-tailed deer and mule deer, means:
 - (i) a female deer; or
 - (ii) a deer born in the year in which it is being hunted;
- (b.2) **"bait"**, except in section 12, means any food intended to attract big game;
- (c) **Repealed.** 3 Sep 82 SR 116/82 s3.
- (d) **"big game"** includes:
 - (i) pronghorn antelope;
 - (ii) bear;
 - (iii) bison, other than domestically raised bison; and
 - (iv) any member of the deer family, whether known as caribou, deer, elk, moose or otherwise;
- (d.1) **Repealed.** 22 May 98 SR 38/98 s3.
- (e) **"big game licence"** means a valid and subsisting licence to hunt big game issued pursuant to these regulations;
- (f) **Repealed.** 3 Sep 82 SR 116/82 s3.
- (g) **Repealed.** 3 Sep 82 SR 116/82 s3.
- (h) **"Canadian resident"** means a person who has his principal residence in Canada and who is a Canadian citizen or has resided in Canada for the 12-month period preceding the date of his application for a licence;
- (h.01) **"captive-reared ring-necked pheasant"** means ring-necked pheasant born and raised in captivity;
- (h.1) **"carnivore"** does not include raptors;
- (h.11) **"certified restraining trap"** means a foot-hold trap that is included on the list of restraining traps certified as meeting the requirements of the Agreement on International Humane Trapping Standards, as published and updated from time to time by the Fur Institute of Canada;
- (h.12) **"certified trap"** means a body-gripping trap that is included on the list of quick-kill traps certified as meeting the requirements of the Agreement on International Humane Trapping Standards, as published and updated from time to time by the Fur Institute of Canada;
- (h.2) **"commercial wildlife farm"** means a location where wildlife is held for commercial purposes;
- (i) **"Cypress Hills Provincial Park (West Block)"** means that portion of Cypress Hills Provincial Park adjoining the Alberta-Saskatchewan border;
- (j) **"designated trail"** means a route shown on a master plan on file in the director's office that is:
 - (i) in Cookson Wildlife Management Unit and in Wildlife Management Zones 60 and 61, marked at the start, at intersections with other designated trails and at intervals along the route by orange-coloured, diamond-shaped markers;

- (ii) in Cypress Hills Provincial Park (West Block), marked at the start and end with designated trail signs;
- (j.1) **“drug”** includes any substance or mixture of substances manufactured sold or represented for use in:
 - (i) the diagnosis, treatment, mitigation or prevention of a disease, disorder, abnormal physical state, or the symptoms thereof, in man or animal;
 - (ii) restoring, correcting or modifying organic functions in man or animal; or
 - (iii) disinfection in premises in which food is manufactured, prepared or kept;
- (k) **Repealed.** 3 Sep 82 SR 116/82 s3.
- (l) **“encased”**, in relation to a firearm, means a firearm that is completely enclosed in a fastened gun case or wrapped in fabric, plastic or similar material in a manner that makes the firearm not readily available for use;
- (m) **“fur animal”** includes any animal that is wild by nature and whose skin or pelt is commonly used for the manufacture of wearing apparel or rugs and is of marketable value;
- (n) **“fur conservation area”** means any area of provincial land constituted as a fur conservation area pursuant to subsection 55(2);
- (o) **“fur conservation block”** means the area of provincial land constituted as a fur conservation block pursuant to subsections 55(1) and (1.1);
- (p) **“fur licence”** means a valid and subsisting licence to hunt fur animals issued pursuant to these regulations;
- (q) **“game”** means big game or game bird and includes any part of any big game or game bird;
- (r) **“game bird”** means migratory game bird and upland game bird;
- (s) **“game bird licence”** means a valid and subsisting licence to hunt game birds issued pursuant to these regulations;
- (t) to (w) **Repealed.** 30 Apr 82 SR 63/82 s3.
- (x) **“game preserve”** means any area constituted as a game preserve by *The Wildlife Management Zones and Special Areas Boundaries Regulations, 1990*;
- (x.1) **“hide”** means the skin or pelt of an animal but does not include the other attached parts of the animal, such as the horns, antlers, claws or skull;
- (y) **Repealed.** 3 Sep 82 SR 116/82 s3.
- (z) **“migratory game bird”** includes any game bird protected by the *Migratory Birds Convention Act (Canada)*, as amended from time to time, or the regulations made under that Act;
- (aa) **“muzzle-loading rifle”** means a rifle which is loaded through the front opening of the barrel;

(bb) **“non-resident”** means a person who is neither a Saskatchewan resident nor a Canadian resident;

(bb.1) **Repealed.** 28 Mar 2003 SR 13/2003 s3.

(cc) **“normal trapping operations”** means the taking of fur animals by means of traps, where the trapper has several traps operating at one time and checks them in a planned and regular manner;

(dd) **“open season”** means an open season established pursuant to any regulations made pursuant to the Act during which it is lawful to hunt a particular species of wildlife;

(dd.1) **“power snare”** means a mechanically activated neck snare used for the taking of fur animals;

(ee) **Repealed.** 14 Sep 84 SR 110/84 s3.

(ee.1) **“processed”** means:

(i) in the case of a big game hide, a tanning or similar treatment to preserve the hide but does not include rubbing the hide with salt;

(ii) in the case of a meat carcass, means cut up and preserved for consumption;

(ff) **“protected area”** means a protected area constituted pursuant to section 5 of *The Parks Act*;

(gg) **“provincial park”** means a provincial park constituted pursuant to section 4 of *The Parks Act*;

(hh) **“recreation site”** means a recreation site constituted pursuant to section 2 of *The Recreation Sites Regulations, 1986*;

(ii) **“regional park”** means a regional park established pursuant to *The Regional Parks Act, 1979*;

(ii.01) **“Reserve”** means a reserve within the meaning of the *Indian Act* (Canada);

(ii.1) **“road”** means a prepared surface designed for vehicular traffic;

(ii.2) **“road allowance”** means a road allowance as defined in the first, second and third Dominion Land Survey System;

(ii.21) **“road corridor game preserve”** means any area constituted as a road corridor game preserve by *The Wildlife Management Zones and Special Areas Boundaries Regulations, 1990*;

(ii.3) **Repealed.** 21 Apr 2006 SR 32/2006 s3.

(jj) **“Saskatchewan resident”** means a person who:

(i) is a Canadian resident, has his principal residence in Saskatchewan and has resided in the province for the three months preceding the date of his application for a licence; or

(ii) is a member of a regular force of the Canadian Armed Forces or of the Royal Canadian Mounted Police and is stationed and residing in the province;

(jj.1) **"Saskatchewan Wildlife Habitat Licence"** means a valid and subsisting Saskatchewan Wildlife Habitat Licence issued pursuant to these regulations;

(jj.2) **"searchlight"** means a spotlight, flashlight, jacklight, nightlight, headlight or any other light that casts a beam of light, and includes night vision scopes and goggles;

(jj.3) **"stand"** means any stand, blind, platform, tree seat or other similar structure used for the purpose of assisting a person while hunting or viewing wildlife, and includes any structure commonly known as a tree stand;

(kk) **Repealed.** 13 Sep 85 SR 100/85 s3.

(ll) **"trail"** means a route regularly travelled by vehicles;

(mm) **"upland game bird"** includes the following birds and the birds of all species of the following families:

(i) *tetraonidae*, commonly known as grouse, including ruffed grouse, spruce grouse, prairie chickens, sharp-tailed grouse, sage grouse and ptarmigans; and

(ii) *phasianidae*, commonly known as pheasants and partridges, including ring-necked pheasants, European grey or Hungarian partridges;

(nn) **"wildlife lands"** means lands acquired pursuant to subsection 20(6) of *The Natural Resources Act* for purposes related to wildlife;

(oo) **"wildlife management unit"** means any area constituted as a wildlife management unit by *The Wildlife Management Zones and Special Areas Boundaries Regulations, 1990*;

(pp) **"wildlife management zone"** means any area constituted as a wildlife management zone by *The Wildlife Management Zones and Special Areas Boundaries Regulations, 1990*;

(qq) **Repealed.** 3 Sep 82 SR 116/82 s3.

(rr) **Repealed.** 3 Sep 82 SR 116/82 s3.

(ss) **Repealed.** 3 Sep 82 SR 116/82 s3.

(tt) **"wildlife refuge"** means any area constituted as a wildlife refuge by *The Wildlife Management Zones and Special Areas Boundaries Regulations, 1990*.

21 Aug 81 cW-13.1 Reg 1 s2; 30 Apr 82 SR 63/82 s2; 3 Sep 82 SR 116/82 s3; 3 Jne 83 SR 71/83 s3; 22 Jly 83 SR 103/83 s3; 26 Aug 83 SR 128/83 s3; 23 Sep 83 SR 149/83 s7; 14 Sep 84 SR 110/84 s3; 13 Sep 85 SR 100/85 s3; 29 Aug 86 SR 93/86 s3; 27 Nov 87 SR 119/87 s3; 17 Aug 90 SR 64/90 s3; 2 Aug 91 SR 59/91 s3; 24 Sep 93 SR 79/93 s3; 6 Sep 96 SR 64/96 s3; 19 Sep 97 SR 87/97 s3; 27 Feb 98 SR 18/98 s3; 22 May 98 SR 38/98 s3; 9 Jly 99 SR 52/1999 s3; 8 Mar 2002 SR 19/2002 s3; 28 Mar 2003 SR 13/2003 s3; 21 Apr 2006 SR 32/2006 s3; 20 Jly 2007 SR 61/2007 s3.

References

2.1 In these regulations:

- (a) references to a highway or a provincial highway are to the highway or provincial highway as shown on the official highway map as defined in *The Provincial Highway Designation Regulations, 1990*;
- (b) references to primary grid roads or grid roads are to the roads as shown on the Saskatchewan Grid Road Map that appears in the Appendix to *The Wildlife Amendment Regulations, 1993 (No. 2)*;
- (c) references to land locations and areas within Saskatchewan are the land locations and areas as shown on topographical maps prepared by the Surveys and Mapping Branch of the Department of Energy, Mines and Resources (Canada).

24 Sep 93 SR 79/93 s4; 15 Jly 94 SR 45/95 s3.

APPLICATION

Application

3(1) These regulations apply to all wildlife wherever found.

(2) For the purposes of this section and sections 4 and 6:

- (a) **“big game animal”** means a big game animal as defined in *The Domestic Game Farm Animal Regulations*;
- (b) **“domestic game farm”** means a domestic game farm as defined in *The Domestic Game Farm Animal Regulations*;
- (c) **“domestic game farm animal”** means a domestic game farm animal as defined in *The Domestic Game Farm Animal Regulations*;
- (d) **“domestic game farm licence”** means a domestic game farm licence as defined in *The Domestic Game Farm Animal Regulations*;
- (e) **“domestic game farm operator”** means a domestic game farm operator as defined in *The Domestic Game Farm Animal Regulations*.

(3) Notwithstanding subsection (1), these regulations, other than sections 4 and 6, subsections 11(1) and 26(1) and sections 51 and 53, do not apply:

- (a) to any domestic game farm animal with respect to which a domestic game farm operator holds a valid licence issued pursuant to *The Domestic Game Farm Animal Regulations*;
- (b) with respect to domestic game farm animals, to any domestic game farm operator who holds a valid licence issued pursuant to *The Domestic Game Farm Animal Regulations*; or
- (c) to any person who slaughters or processes a domestic game farm animal where the slaughter or processing is done:
 - (i) with the permission and under the direction of a domestic game farm operator; and
 - (ii) on the domestic game farm of the domestic game farm operator.

9 Jly 99 SR 52/1999 s4.

PART II

General Hunting Restrictions

Permitted hunting

4(1) Subject to the other provisions of these regulations, outside of game preserves, road corridor game preserves, wildlife refuges, wildlife management units, regional parks, provincial parks, protected areas or recreation sites, any person may, without a licence, hunt:

- (a) reptilia (snakes and turtles) other than rattlesnakes, bullsnares, hog-nosed snakes, smooth green snakes, eastern yellow-bellied racers, northern red-bellied snakes, short-horned lizards and snapping turtles;
- (b) amphibia (frogs and salamanders);
- (c) lagomorpha (rabbits);
- (d) insectivora (shrews);
- (e) chiroptera (bats);
- (f) rodentia (mice and rats), other than red squirrels, muskrats, black-tailed prairie dogs and, subject to subsection (2), beavers;
- (g) skunks and raccoons;
- (h) crows, magpies, cowbirds, blackbirds, grackles, starlings, English sparrows and common pigeons (rock doves); and
- (i) domestic game farm animals with respect to which a domestic game farm operator holds a valid licence pursuant to *The Domestic Game Farm Animal Regulations*.

(2) Subject to the other provisions of these regulations, outside of game preserves, road corridor game preserves, wildlife refuges, wildlife management units, regional parks, provincial parks, protected areas, fur conservation areas or recreation sites, any person may hunt beavers, without a licence, in rural municipalities that have:

- (a) passed a bylaw allowing beavers to be hunted; and
- (b) filed a certified copy of the bylaw with the director.

(3) Notwithstanding subsection (1):

- (a) reptilia, amphibia, insectivora and chiroptera may not be hunted for commercial purposes; and
- (b) amphibia may not be used as bait for angling.

(4) Subject to *The Domestic Game Farm Animal Regulations*, the domestic game farm licence and the consent and direction of the domestic game farm operator, a person may hunt any domestic game farm animal on a domestic game farm at any time and in any amount or quota.

(5) For the purposes of sections 44 and 45 of the Act, it is not an offence for a domestic game farm operator or a person mentioned in subsection (4), either directly or indirectly, to sell, buy, trade, barter, exchange, deal in, solicit with respect to or offer for sale any domestic game farm animal with respect to which a domestic game farm operator holds a valid licence issued pursuant to *The Domestic Game Farm Animal Regulations* or to advertise for the purpose of doing those things.

(6) For the purposes of clause 24(1)(b) of the Act, a domestic game farm licence constitutes a licence for the purposes of authorizing possession of wildlife that are domestic game farm animals.

(7) Notwithstanding clause 36(1)(b), but subject to subsection 11(1) and the consent and direction of the commercial wildlife farm operator, a person may, without a licence, hunt captive-reared ringneck pheasants on a commercial wildlife farm at any time and in any amount or quota.

1 Feb 85 SR 4/85 s3; 29 Aug 86 SR 93/86 s4; 23
Sep 88 SR 73/88 s3; 17 Aug 90 SR 64/90 s4; 15
Jly 94 SR 45/95 s4; 26 Jly 96 SR 50/96 s3; 16
Oct 98 SR 78/98 s4; 9 Jly 99 SR 52/1999 s5; 28
Mar 2003 SR 13/2003 s4; 2 Jan 2009 SR 129/
2008 s3.

Restriction re wildlife in special areas

5(1) No person shall, without a licence for the purpose:

- (a) hunt, poison, molest or disturb any wildlife within;
- (b) destroy or alter any wildlife habitat within; or
- (c) carry, possess or discharge any firearm within or discharge a firearm over;

a game preserve, road corridor game preserve, wildlife refuge, wildlife management unit, regional park, provincial park, protected area or recreation site.

(2) Notwithstanding clause (1)(c), a person may transport an encased firearm in a vehicle through the areas specified in subsection (1).

(3) Notwithstanding clause (1)(c), a person may carry an unloaded firearm in a road corridor game preserve from the centre line of any road contained within the road corridor game preserve to the edge of that road corridor game preserve by the most direct route and return in the same manner.

(4) Except as authorized by the director, between April 15 and September 15 in each year no person shall enter or approach within 100 metres of:

- (a) Basin Lake Wildlife Refuge;
- (a.01) Bazill Wildlife Refuge;
- (a.1) Gatehouse Island Wildlife Refuge;
- (b) Heglund Island Wildlife Refuge;
- (c) Isle of Bays Wildlife Refuge;

- (d) Lenore Lake Wildlife Refuge;
- (e) Mud Lake Wildlife Refuge;
- (f) Primrose Lake Wildlife Refuge;
- (g) Preston Lake Wildlife Refuge;
- (h) Redberry Lake Wildlife Refuge;
- (i) Rock Island Wildlife Refuge;
- (j) Scheelhaase Island Wildlife Refuge.

21 Aug 81 cW-13.1 Reg 1 s5; 3 Sep 82 SR 116/82 s5; 3 Jne 83 SR 71/83 s4; 22 Jly 83 SR 103/83 s4; 26 Aug 83 SR 128/83 s5; 14 Sep 84 SR 110/84 s4; 13 Sep 85 SR 100/85 s4; 17 Aug 90 SR 64/90 s5.

Protected wildlife

6(1) Subject to subsections (2), (2.1), (3) and (4), no person shall, without a licence for the purpose, kill, disturb or molest any wildlife or the den, house, nest, dam or usual place of habitation of any wildlife protected under the Act or under the *Migratory Birds Convention Act* (Canada), as amended from time to time, or under any regulations made under either Act.

(2) The director may issue a licence:

- (a) to capture or kill any wildlife that is wounded, diseased, a danger to the public or a public nuisance;
- (b) to remove or destroy the den, house, nest, dam or usual place of habitation of any wildlife that is causing or likely to cause damage to property; or
- (c) to capture or kill any domestic game farm animal that has escaped from a domestic game farm and poses a threat to wildlife or wildlife habitat.

(2.1) A wildlife officer may, as requested by the director:

- (a) collect any wildlife for scientific study or dispatch any injured or diseased wildlife or any wildlife considered a threat to public safety; or
- (b) collect or dispatch any domestic game farm animal that has escaped from a domestic game farm and poses a threat to wildlife or wildlife habitat.

(3) For the purpose of protecting his property or livestock, the owner or occupant of any land may, without a licence, kill, on the land, any rattlesnake, carnivore, beaver or muskrat, other than a swift fox or black-footed ferret, and may destroy or remove any beaver house or dam found on the land.

(4) A beekeeper having hives on land other than his own may shoot bears within one kilometre of his hives without a licence, if he receives the permission of the owner or occupant of that other land.

(4.1) A domestic game farm operator may, without a licence, kill any wildlife of the same species as one of his or her domestic game farm animals if that wildlife has gained entry to his or her domestic game farm and poses a direct threat to the domestic game farm animals or if that wildlife is actively fighting through the fence with a domestic game farm animal and poses a direct and immediate threat to that animal.

(4.2) A domestic game farm operator may, without a licence, capture and hold in isolation a big game animal that is attempting to gain, or has gained, entrance to a domestic game farm.

(4.3) Any person who captures a big game animal pursuant to subsection (4.2) shall immediately report the capture to a wildlife officer who shall specify the area to which the big game animal is to be relocated.

(5) Any person who kills any wildlife pursuant to subsection (3), (4) or (4.1) shall immediately report the killing to a wildlife officer, and the director may specify the manner of disposing of the wildlife.

21 Aug 81 cW-13.1 Reg 1 s6; 3 Sep 82 SR 116/82 s6; 14 Sep 84 SR 110/84 s5; 13 Sep 85 SR 100/85 s5; 23 Sep 88 SR 73/88 s4; 24 Sep 93 SR 79/93 s5; 9 Jly 99 SR 52/1999 s6.

Restrictions on hunting methods

7(1) No person shall, without a licence for the purpose, at any time hunt with, use or set any poison, traps, nets or snares for the destruction or capture of game.

(2) No person shall, without a licence for the purpose, at any time:

(a) hunt big game with:

(i) bows of less than 40 pounds draw weight or arrows with heads measuring less than 2.2 centimetres in diameter; or

(ii) crossbows of less than 150 pounds or 68 kilograms draw weight or bolts with heads measuring less than 2.2 centimetres in diameter;

(b) **Repealed.** 15 Jly 94 SR 45/95 s5.

(c) hunt with, carry while hunting, use or set for the destruction or capture of wildlife:

(i) drugs, narcotics, poisons or tranquilizers, except that poisons may be used to hunt rodents other than red squirrels, muskrats, beaver and black-tailed prairie dogs;

(ii) automatic firearms, including automatic and machine guns, automatic and machine rifles and any other gun or rifle designed to fire more than one shot with a single squeeze of the trigger;

(iii) any night-vision device;

(iv) any device or mechanism designed to silence or minimize the report of a firearm;

(v) **Repealed.** 3 Sep 82 SR 116/82 s7.

- (vi) live decoys of any kind;
 - (vii) metal-jacketed hard-point non-expanding bullets or any such bullets that have been tampered with or altered in any way;
 - (viii) barbed or poisoned arrows or arrows with explosive heads;
 - (viii.1) spears;
 - (ix) **Repealed.** 26 Jly 96 SR 50/96 s4.
 - (x) tracer bullets or tracer shot shells;
 - (xi) traps equipped with serrated jaws or teeth.
- (3) **Repealed.** 22 Jly 83 SR 103/83 s5.
- (4) Notwithstanding subclause (2)(c)(vii), metal-jacketed hard-point non-expanding bullets may be used for hunting fur animals, excluding bears, as provided for by these regulations.

21 Aug 81 cW-13.1 Reg 1 s7; 3 Sep 82 SR 116/82 s7; 3 Jne 83 SR 71/83 s5; 22 Jly 83 SR 103/83 s5; 27 Apr 84 SR 42/84 s4; 1 Feb 85 SR 4/85 s4; 29 Aug 86 SR 93/86 s5; 27 Nov 87 SR 119/87 s4; 23 Sep 88 SR 73/88 s5; 15 Jly 94 SR 45/94 s5; 26 Jly 96 SR 50/96 s4.

Restrictions on hunting in wildlife management zones

- 8(1) No person shall hunt any wildlife in any wildlife management zone during an open season for big game unless he is the holder of a big game licence that is valid in that zone.
- (2) Notwithstanding subsection (1):
- (a) a game bird licence holder may hunt game birds during an open game bird season;
 - (b) a fur licence holder may hunt fur animals during an open fur season where the fur licence holder is carrying out normal trapping operations;
 - (b.1) a Saskatchewan resident may hunt foxes and coyotes and the holder of a Non-Saskatchewan Resident Coyote Licence may hunt coyotes as long as that person is not hunting with, aiding or assisting any other person hunting big game;
 - (c) a fur licence holder who also holds a valid big game licence may take fur animals with a rifle of greater than .23 calibre;
 - (d) a licenced trapper conducting normal bear-trapping operations may use a rifle other than a .22 rimfire rifle; and
 - (e) a person may hunt those animals listed in subsections 4(1) and (2).
- (3) **Repealed.** 26 Aug 83 SR 128/83 s6.

21 Aug 81 cW-13.1 Reg 1 s8; 30 Apr 82 SR 63/82 s4; 3 Jne 83 SR 71/83 s6; 22 Jly 83 SR 103/83 s6; 26 Aug 83 SR 128/83 s6; 29 Aug 86 SR 93/86 s6; 27 Nov 87 SR 119/87 s5; 23 Sep 88 SR 73/88 s6; 17 Aug 90 SR 64/90 s6; 2 Aug 91 SR 59/91 s4; 24 Sep 93 SR 79/93 s6; 8 Mar 2002 SR 19/2002 s4; 2 Jan 2009 SR 129/2008 s4.

Hunting in provincial parks

9 Where an open season is established in a provincial park, no person shall hunt in those areas of the park posted with signs reading "Hunting or shooting prohibited" or words to a like effect.

21 Aug 81 cW-13.1 Reg 1 s7.

10 Repealed. 9 Apr 2009 SR 35/2009 s3.

Hunting at night

11(1) No person shall hunt any wildlife during the period from one-half hour after sunset to one-half hour before sunrise.

(2) Repealed. 23 Sep 88 SR 73/88 s7.

(3) Notwithstanding subsection (1), a licenced trapper may take fur animals at any time during an open fur season by means of a trap.

21 Aug 81 cW-13.1 Reg 1 s11; 3 Sep 82 SR 116/82 s9; 3 Jne 83 SR 71/83 s7; 22 Jly 83 SR 103/83 s7; 23 Sep 88 SR 73/88 s7; 26 Jly 96 SR 50/96 s5.

Hunting safety

11.1(1) Nothing in this section is to be construed as applying to hunting on a Reserve.

(2) For the purpose of ensuring the safety of hunters and the public, a searchlight shall not be used for the purposes of hunting wildlife.

(3) No person shall fail to comply with subsection (2).

(4) Notwithstanding subsections (2) and (3), a person may use a searchlight for the purposes of normal trapping operations.

(5) No person shall, during the period from one-half hour after sunset to one-half hour before sunrise, discharge, for the purposes of hunting, a firearm from any:

- (a)** provincial highway or highway;
- (b)** road, primary grid road or grid road;
- (c)** road allowance, right of way or ditch.

(6) Subsection 74(3), clause 76(1)(a) and subsection 79(2) of the Act apply to a contravention of this section.

27 Feb 98 SR 18/98 s4; 22 May 98 SR 38/98 s4;
16 Oct 98 SR 77/98 s3; 28 Mar 2003 SR 13/2003
s5.

Hunting or approaching lure crops or bait stations

12(1) Subject to subsection (2) but otherwise notwithstanding any other provision of these regulations or any provision of the regulations under the *Migratory Birds Convention Act* (Canada), as amended from time to time, no person shall:

- (a) hunt in, on or over or enter any lands posted with lure crop signs; or
 - (b) approach within 500 metres of a feeding station posted with bait station signs.
- (2) A person may approach within 500 metres of a feeding station where he:
- (a) does so in accordance with instructions posted at the feeding station by a wildlife officer; and
 - (b) is not hunting.

27 Nov 87 SR 119/87 s6; 17 Aug 90 SR 64/90 s7.

Hunting near buildings, etc.

13(1) In this section:

- (a) **"owner"** means the owner of property or the person in charge or control of property;
 - (b) **"unprotected wildlife"** means wildlife that is not protected pursuant to the Act or an Act of the Parliament of Canada, or pursuant to these regulations, other regulations made pursuant to the Act or regulations made pursuant to an Act of the Parliament of Canada.
- (2) Subject to subsections (3) to (4), no person shall hunt any wildlife within 500 metres of a building, stockade or corral that is occupied by persons or livestock without the consent of the owner of the building, stockade or corral.
- (3) Persons authorized by municipal bylaw may, subject to the terms of the bylaw, hunt those animals listed in clauses 4(1)(f), (g) and (h) within 500 metres of any building, stockade or corral in the municipality without the consent of the owner of the building, stockade or corral.
- (3.1) Persons authorized by the director and by municipal bylaw may, subject to any conditions set by the director and the terms of the bylaw, hunt animals other than those animals listed in clauses 4(1)(f), (g) and (h) within 500 metres of any building, stockade or corral in the municipality without the consent of the owner of the building, stockade or corral.
- (4) A wildlife officer or peace officer, in the exercise of his or her powers or in the performance of his or her duties, may hunt distressed, dangerous, injured, diseased or unprotected wildlife within 500 metres of any building, stockade or corral without the consent of the owner of the building, stockade or corral.

6 Aug 2004 SR 67/2004 s3; 2 Jan 2009 SR 129/2008 s5.

Vehicles or power boats

14 No person shall use a vehicle or a power boat for the purpose of:

- (a) chasing or pursuing any wildlife;
- (b) disturbing any wildlife;
- (c) driving any wildlife towards hunters; or
- (d) injuring or killing any wildlife;

unless he is authorized to do so by the minister.

21 Aug 81 cW-13.1 Reg 1 s14.

Firearms

15 For the purposes of section 40 of the Act:

- (a) a person is deemed to be carrying a firearm in or on a vehicle or while on horseback if the firearm is in the vehicle or on the horse, as the case may be, or in physical contact with the person;
- (b) a firearm in contact with a magazine containing loaded shells or cartridges is deemed to be loaded; and
- (c) swing or hinge magazines are deemed to be a part of a firearm unless they are completely removed from the firearm.

21 Aug 81 cW-13.1 Reg 1 s15; 3 Sep 82 SR 116/
82 s10; 19 Sep 97 SR 87/97 s4.

Discharge of firearm

16 No person shall discharge a firearm along or across a provincial highway, a highway, a primary grid road or grid road.

24 Sep 93 SR 79/93 s7.

Permitted firearms

17(1) No person shall hunt big game with a firearm or metal projectile of .23 calibre or less.

- (2) No person shall hunt upland game birds with a centrefire rifle.
- (3) No person shall hunt any wildlife with a shotgun larger than 10 gauge.
- (4) No person shall hunt game birds with a shotgun unless the magazine is plugged with a plug that cannot be removed or altered without disassembling the gun so that the magazine cannot carry more than two shells.

21 Aug 81 cW-13.1 Reg 1 s17; 26 Jly 96 SR 50/
96 s6; 9 Jly 99 SR 52/1999 s8.

Prohibitions

18(1) No person shall, without the consent of the owner or occupant of land:

- (a) dig a pit or other excavation or leave it open;
- (b) set or employ traps;
- (c) set out bait for the hunting of big game;

- (d) hunt from a windmill;
 - (e) wilfully cause damage to crops, livestock or property; or
 - (f) set out food or offal for the purpose of attracting wildlife.
- (2) No person shall, while hunting big game, kill female black bears with young of the year cubs at heel.

21 Aug 81 cW-13.1 Reg 1 s18; 19 Sep 97 SR 87/
97 s5; 22 Sep 2000 SR 71/2000 s3; 21 Apr 2006
SR 32/2006 s4.

Placing of bait

18.1(1) No person, for the purpose of hunting big game, shall place bait, except in accordance with these regulations:

- (a) on any land in a provincial forest as defined in *The Forest Act*;
 - (b) on any unoccupied Crown land; or
 - (c) on any land within a provincial park or recreation site constituted pursuant to *The Parks Act* unless authorized by the director.
- (2) No person, for the purpose of hunting big game, shall place bait on any land acquired from assets of the Wildlife Development Fund or the Fish and Wildlife Development Fund.
- (3) A person placing bait for the purpose of hunting big game, shall, at the time of placing the bait:
- (a) erect at the site a sign of durable material of not less than 600 square centimetres in area on which is clearly marked in a permanent fashion the person's full name and address; or
 - (b) clearly mark his or her full name and address in a permanent fashion on any container used for holding the bait.
- (4) No person shall place bait for the purpose of hunting big game within:
- (a) 500 metres of any campground, dwelling or other place used by persons for purposes other than hunting;
 - (b) 200 metres of any numbered highway, primary grid road or grid road; or
 - (c) 200 metres of any maintained forest access road, snowmobile trail or cross-country ski trail prior to April 1 in any year.
- (5) No person shall place bait for the purpose of hunting bear unless that bait is placed in a container that:
- (a) does not have a volume exceeding 210 litres;
 - (b) is constructed in a manner to prevent the bear from becoming trapped; and
 - (c) cannot be removed by a bear.

(6) No person shall place bait, for the purpose of hunting big game other than bear, that:

- (a) exceeds 40 litres in volume; or
- (b) in the case of hay bales, consists of more than two bales with a combined total weight exceeding 90 kilograms.

(7) No person shall store any bait at or near any location where bait is placed or is intended to be placed.

15 Jly 94 SR 45/94 s6.

Removal, etc., of bait signs

18.2 No person shall destroy, remove, deface, cover or tamper with any sign mentioned in section 18.1 erected by any other person.

1 May 87 SR 34/87 s3.

Hunting with bait

18.3(1) No person shall hunt at a site with the assistance of bait that is placed at the site by any other person without the other person's consent.

(2) No person shall hunt at a site with the assistance of bait unless he has complied with clause 18.1(3)(a) or (b).

1 May 87 SR 34/87 s3; 15 Jly 94 SR 45/94 s7.

When bait to be placed and removed

18.4(1) No person shall place bait for hunting big game prior to August 1 in any year.

(2) Notwithstanding subsection (1), a person may place bait for hunting bear during the spring bear season on or after March 1 in any year.

(3) A person who has placed bait for the purpose of hunting big game shall remove, at the end of the hunting season for which the bait was placed:

- (a) any remaining bait;
- (b) the container, if any; and
- (c) the sign mentioned in section 18.1.

15 Jly 94 SR 45/94 s8.

Restrictions on bait

18.41 Bait may not consist of:

- (a) any noxious weed or noxious weed seed as described in *The Noxious Weeds Act, 1984*;
- (b) any exotic plant as defined in *The Forest Resources Management Regulations*; or

(c) after March 1, 2002, any carcass or part of a domestic animal other than domestic animal carcass trimmings received from a butcher shop or abattoir licensed pursuant to *The Public Health Act, 1994* or registered with the Canadian Food Inspection Agency.

8 Mar 2002 SR 19/2002 s6.

Restrictions on feeding ungulates

18.42 No person shall feed wild ungulates between January 1 and July 31 in any year on lands described in subsection 18.1(1) unless authorized by the director.

8 Mar 2002 SR 19/2002 s6.

Stands

18.43(1) In this section:

- (a) **"land"** means any of the lands mentioned in subsection (2);
- (b) **"place a stand on land"** or **"cause a stand to be placed on land"** includes placing a stand, or causing a stand to be placed:
 - (i) over land; or
 - (ii) in, on or over water on the land;
- (c) **"remove a stand"** means to completely remove a stand, or to cause a stand to be completely removed, from the land, together with anything brought onto the land to be used in connection with the stand.

(2) No person shall place a stand, or cause a stand to be placed, on any of the following lands except in accordance with these regulations:

- (a) on any land in a provincial forest as defined in *The Forest Resources Management Act*;
- (b) on any unoccupied Crown land;
- (c) on any land within a provincial park or recreation site as defined in *The Parks Act*.

(3) Any person who places a stand, or causes a stand to be placed, on land shall clearly and permanently mark in a visible location on the stand:

- (a) the person's:
 - (i) name and address; or
 - (ii) Outfitter's licence number; and
- (b) the date on which the stand is placed on the land.

(4) Any person who places a stand, or causes a stand to be placed, on land:

- (a) between April 7 and June 30 shall remove the stand by July 7 of the same year; or
- (b) between August 15 and December 19 shall remove the stand by December 31 of the same year.

(5) Any person who places a stand, or causes a stand to be placed, on land on any date other than between the dates mentioned in subsection (4) shall remove the stand within seven days after the date on which the stand is placed on the land.

(6) Notwithstanding subsections (4) and (5), if a person has placed a stand, or caused a stand to be placed, on land on or before the coming into force of these regulations, that person shall remove the stand on or before December 31, 2003.

(7) Any person using a stand does so at his or her own risk and has no right to recover damages from the minister or the Crown in right of Saskatchewan or any of its agents or employees.

28 Mar 2003 SR 13/2003 s6; 21 Apr 2006 SR 32/2006 s5.

18.5 Repealed. 15 Jly 94 SR 45/94 s8.

Dogs

19(1) No person shall use a dog for hunting big game or permit a dog accustomed to pursuing big game to run at large in a locality where big game is usually found.

(2) Any dog found chasing big game may be killed by any person without incurring any liability.

(3) **Repealed.** 2 Aug 91 SR 59/91 s6.

(4) No person shall hunt fur animals with a dog in:

(a) any fur conservation area; or

(b) those rural municipalities listed in Table 7 of the Appendix.

21 Aug 81 cW-13.1 Reg 1 s19; 14 Sep 84 SR 110/84 s6; 1 Feb 85 SR 4/85 s5; 2 Aug 91 SR 59/91 s6.

When guide required

20(1) No holder of a non-resident big game licence shall hunt big game unless the licence holder is guided by:

(a) an outfitter who is the holder of an outfitter's licence issued pursuant to *The Outfitter and Guide Regulations, 1996*; or

(b) a person who is employed for the purposes of guiding by an outfitter who is the holder of an outfitter's licence issued pursuant to *The Outfitter and Guide Regulations, 1996*.

(2) No Canadian resident other than a Saskatchewan resident shall hunt moose unless the Canadian resident is guided by:

(a) an outfitter who is the holder of an outfitter's licence issued pursuant to *The Outfitter and Guide Regulations, 1996*; or

(b) a person who is employed for the purposes of guiding by an outfitter who is the holder of an outfitter's licence issued pursuant to *The Outfitter and Guide Regulations, 1996*.

6 Sep 96 SR 64/96 s4; 22 Sep 2000 SR 71/2000 s4.

Hunting clothing

21(1) Every person hunting big game and every person accompanying or guiding him shall wear:

- (a) above the waist, an outer suit of clothing coloured scarlet, bright yellow, blaze orange, white or any combination of those colours; and
- (b) a cap or toque coloured scarlet, bright yellow, blaze orange or any combination of those colours.

(2) Notwithstanding subsection (1), a person hunting big game for which there is an open archery, muzzle-loading firearm or shotgun season established pursuant to *The Open Seasons Game Regulations, 2009* may wear camouflage or other clothing.

(3) Notwithstanding subsection (2), a person hunting mule deer pursuant to an archery mule deer licence is subject to clause 21(1)(a) during any period that the archery mule deer season runs concurrent with the special mule deer rifle season.

21 Aug 81 cW-13.1 Reg 1 s21; 3 Sep 82 SR 116/82 s11; 23 Sep 88 SR 73/88 s9; 24 Sep 93 SR 79/93 s9; 19 Sep 97 SR 87/97 s7; 9 Jly 99 SR 52/1999 s9; 8 Mar 2002 SR 19/2002 s7; 20 Jly 2007 SR 61/2007 s4; 9 Apr 2009 SR 35/2009 s4.

Leaving game in field

22(1) A person who has killed or is in possession of any game other than a bear shall not allow its edible flesh to be wasted, destroyed, spoiled or abandoned.

(2) A person who kills or injures any game shall make every reasonable effort to retrieve the game and include it in his lawful limit.

21 Aug 81 cW-13.1 Reg 1 s22; 23 Sep 88 SR 73/88 s10.

Evidence of age or sex of game

23(1) No person shall fail to keep the evidence of age and sex of any game with the carcass, until the carcass and all parts of the carcass have been processed and taken to the place where it is intended to be consumed.

(2) Subsection (1) does not apply when all ages and both sexes of the game may be hunted at that time and place.

21 Aug 81 cW-13.1 Reg 1 s23; 26 Aug 83 SR 128/83 s7; 29 Dec 89 SR 82/89 s4.

Traps or snares

24(1) No person, without a licence for the purpose, shall hunt with, use or set any nets or snares for the destruction or capture of fur animals other than:

- (a) snares for the destruction or capture of rabbits or squirrels;
- (b) snares for the destruction or capture of fur animals under ice; or
- (c) mechanically activated foot snares set in a manner to ensure that the fur animal is captured by the foot.

(2) No person shall:

- (a) touch or interfere with any legally placed traps or snares, unless he or she is authorized by the owner;
- (b) leave a trap or snare set for a fur animal following the close of the open season for that animal;
- (c) use foot traps set in water for beaver, otter, mink or muskrat, unless the trap is set so that the animal drowns when caught;
- (d) set traps with an inside jaw-spread exceeding 24 centimetres;
- (e) set traps equipped with serrated teeth or jaws;
- (f) use hooks or sharp devices to snag or spear fur animals;
- (g) set spring-pole sets on poles or trees unless the trap is set in a manner to kill the animals with reasonable dispatch;
- (h) set snares, unless each snare is equipped with a locking device to prevent the noose from opening;
- (i) use a foot-hold trap, on land, for the live-capture and restraint of a fur animal unless:
 - (i) the trap is a certified restraining trap;
 - (ii) the trap is set in a manner that will kill the animal with reasonable dispatch; or
 - (iii) in the case where no trap has been certified for the species, the trap has been modified to improve humaneness;
- (j) without a licence issued by the director pursuant to subsection 6(2), use or set a power snare for the taking of fur animals;
- (k) use or set a body-gripping trap that is not a certified trap for coyote, wolf, beaver, bobcat, otter, lynx, marten, fisher, badger, ermine, least weasel, long-tailed weasel, muskrat or raccoon.

(3) No person shall leave a trap or snare set for a fur animal without returning to the trap or snare to determine if any wildlife has been caught:

- (a) at least every 24 hours, where the trap or snare is set outside of the fur conservation block in a town or city with a population exceeding 1,000 people or any land within five kilometres of that town or city;
- (b) at least every 72 hours, where the trap or snare is set outside of the fur conservation block on any land more than five kilometres from a town or city with a population exceeding 1,000 people; or
- (c) at least every 120 hours, where the trap or snare is set in the fur conservation block.

Beaver and muskrat

25(1) In this section, "**member trapper**" means a person who is eligible to hold a fur conservation area fur licence.

(2) Except as may be otherwise expressly authorized by these regulations, no person shall shoot or attempt to shoot any beaver:

(a) in a fur conservation area, unless recommended at the annual meeting of the area by a majority of the member trappers for that area and authorized by a special permit issued by the director; or

(b) outside a fur conservation area on any land without the permission of the owner or occupant of the land.

10 Aug 84 SR 94/84 s2; 2 Jan 2009 SR 129/2008 s6.

25.1 Repealed. 26 Jly 96 SR 50/96 s7.**Accidental killing**

26(1) Any person who, by accident, unlawfully kills any wildlife shall immediately report the killing to the nearest wildlife officer.

(2) Subsection (1) does not apply to wildlife accidentally killed by a vehicle.

21 Aug 81 cW-13.1 Reg 1 s26.

Wildlife for breeding

27 *The Animal Protection Act* applies, *mutatis mutandis*, to wildlife kept for breeding purposes on a wildlife farm, commercial wildlife farm or zoo pursuant to the Act.

21 Aug 81 cW-13.1 Reg 1 s27.

Signs

28 Signs required by section 41 of the Act are required to be a minimum of 600 square centimetres in size.

21 Aug 81 cW-13.1 Reg 1 s28; 19 Sep 97 SR 87/97 s8; 8 Mar 2002 SR 19/2002 s9.

Big game

29 Notwithstanding any other provision of these regulations, only a Saskatchewan resident living within a 16 kilometre radius of:

- (a) Beauval;
- (b) Black Lake;
- (c) Buffalo Narrows;
- (d) Camsell Portage;
- (e) Cree Lake;
- (f) Deschambault;
- (g) Dillon;

- (h) **Repealed.** 26 Jly 96 SR 50/96 s8.
- (i) Fond-du-Lac;
- (j) **Repealed.** 13 Sep 85 SR 100/85 s6.
- (k) Ile-à-la-Crosse;
- (l) Kinoosao;
- (m) La Loche;
- (n) La Ronge;
- (o) Patuanak;
- (p) Pelican Narrows;
- (q) Pinehouse;
- (r) Primeau Lake;
- (s) Sandy Bay;
- (t) Southend;
- (u) Stanley Mission;
- (v) Stony Rapids;
- (w) Turnor Lake; or
- (x) Wollaston Lake;

may hunt big game within a 16 kilometre radius of the community excluding any privately owned land.

21 Aug 81 cW-13.1 Reg 1 s29; 3 Sep 82 SR 116/
82 s12; 13 Sep 85 SR 100/85 s6; 26 Jly 96 SR
50/96 s8.

Game birds

30 Notwithstanding any other provision of these regulations or of any other regulations made under the Act:

- (a) no person shall hunt any game bird:
 - (i) between June 1 and November 9 in any year in, on or within 500 metres perpendicularly distant inland from the water's edge of:
 - (A) Antelope Lake;
 - (B) Avonlea Reservoir, 4.8 kilometres south-east of Avonlea;
 - (C) Bigstick Lake;
 - (D) Birch Lake, 16.1 kilometres north-east of Glaslyn;
 - (E) Buffalo Coulee Lake;
 - (F) Cabri Lake;
 - (G) Deep Lake, eight kilometres south of Indian Head;
 - (H) Dewar Lake, near the Town of Dewar Lake;
 - (I) Ear Lake;

- (J) Eyre Lake;
- (K) Flat Lake, 4.8 kilometres south-east of Wilkie;
- (L) Goose Lake, 11.3 kilometres east of Harris;
- (M) Gooseberry Lake;
- (N) Grassy Lake, 11.3 Kilometres north-east of Luseland;
- (O) Highfield Reservoir;
- (P) **Repealed.** 15 Jly 94 SR 45/94 s10.
- (Q) Junction Dam, 3.2 kilometres north of Maple Creek;
- (R) Kiyiu Lake;
- (S) Lac la Course;
- (T) Leech Lake;
- (U) Lomond Lake, 4.8 kilometres north-east of Preeceville;
- (V) Luck Lake;
- (W) Mallard Bay, 12.9 kilometres north of Mortlach;
- (X) Mud Lake, 16.1 kilometres north of Wynyard;
- (Y) Muddy Lake;
- (Z) Opuntia Lake;
- (AA) Paysen (Horfield) Lake;
- (BB) Saline Lake;
- (CC) Silver Lake, 11.3 kilometres north of Sheho;
- (DD) Snipe Lake;
- (EE) Stonewall Lake;
- (FF) Teo Lakes;
- (FF.1) Thackery Lake;
- (GG) Thomson Lake, 4.8 kilometres north-west of Lafleche;
- (HH) Waterhen Marsh and the island thereon;
- (II) that portion of the South Saskatchewan River and the islands thereon lying between Gardiner Dam and the northern boundary of Township 30, in Range 8, west of the Third Meridian;
- (JJ) that portion of the North Saskatchewan River and the islands thereon lying between Paynton Ferry and Borden Bridge;

(KK) that portion of the South Saskatchewan River, and the islands thereon, and that portion of Lake Diefenbaker lying between the Alberta border and Saskatchewan Landing Bridge; and

(LL) that portion of the Waterhen River 4.8 kilometres west and 3.2 kilometres east from Highway Number 4 crossing;

(ii) between June 1 and November 9 in any year in, on or within 500 metres perpendicularly distant inland from the water's edge of:

- (A) Barber Lake;
- (B) Cactus Lake;
- (C) Castlewood Lake;
- (D) Cutbank Lake, 4.8 kilometres north-east of Glidden; and
- (E) **Repealed.** 14 Sep 84 SR 110/84 s7.

(iii) between June 1 and November 9 in any year in, on or within 500 metres perpendicularly distant inland from the water's edge of:

- (A) Boulder Lake; and
- (B) Ibsen Lake;

(iv) in, on or over Cypress Lake and the islands thereon, Tobin Lake and the islands thereon, Witchehan Lake and the islands of the North Saskatchewan River located:

- (A) in Township 49, in Range 17, west of the Second Meridian and in Township 50, in Range 16, west of the Second Meridian; and
- (B) between the Alberta-Saskatchewan border and the Paynton Ferry Crossing;

(b) **Repealed.** 6 Aug 2004 SR 67/2004 s4.

(c) **Repealed.** 8 Mar 2002 SR 19/2002 s10.

(d) no person shall hunt or take ducks, coots and Wilson's snipe within the Last Mountain Lake Wildlife Management Unit prior to the third Wednesday in September;

(e) **Repealed.** 15 Jly 94 SR 45/94 s10.

(f) **Repealed.** 15 Jly 94 SR 45/94 s10.

21 Aug 81 cW-13.1 Reg 1 s30; 30 Apr 82 SR 63/82 s5; 3 Sep 82 SR 116/82 s13; 3 Jne 83 SR 71/83 s9; 22 Jly 83 SR 103/83 s9; 14 Sep 84 SR 110/84 s7; 13 Sep 85 SR 100/85 s7; 29 Aug 86 SR 93/86 s8; 27 Nov 87 SR 119/87 s8; 23 Sep 88 SR 73/88 s11; 17 Aug 90 SR 64/90 s8; 2 Aug 91 SR 59/91 s8; 15 Jly 94 SR 45/94 s10; 24 Nov 95 SR 70/95 s3; 16 Oct 98 SR 77/98 s4; 9 Jly 99 SR 52/1999 s11; 8 Mar 2002 SR 19/2002 s10; 6 Aug 2004 SR 67/2004 s4.

PART III
Licences
GENERAL

Licences

31(1) Unless otherwise disqualified pursuant to:

- (a) the Act;
- (b) any other provision of these regulations; or
- (c) any other regulations made pursuant to the Act;

any person may apply for a licence or a Saskatchewan Wildlife Habitat Licence.

(2) No person other than a:

- (a) Saskatchewan resident may purchase or hold a Saskatchewan Resident Licence;
- (b) Canadian resident may purchase or hold a Canadian Resident Licence.

(3) **Repealed.** 14 Sep 84 SR 110/84 s8.

(4) Every Saskatchewan resident who applies for a game or fur licence or a Saskatchewan Wildlife Habitat Licence shall provide his registration and beneficiary numbers from a valid Saskatchewan Health Services Card issued for the purpose of *The Saskatchewan Hospitalization Act* or *The Saskatchewan Medical Care Insurance Act*.

(5) Where a licence is restricted to residents of a wildlife management zone, only a Saskatchewan resident who has his principal residence in that zone for the three months preceding the date of his application for the licence is eligible to obtain the licence.

(6) No licence or Saskatchewan Wildlife Habitat Licence is valid unless it is signed by the person to whom it is issued.

(7) Upon being satisfied that the holder of a licence has lost the licence, the director may issue a duplicate:

- (a) big game licence;
- (b) game bird licence;
- (c) fur licence;
- (c.1) **Repealed.** 22 May 98 SR 38/98 s5.
- (d) Saskatchewan Wildlife Habitat Licence;
- (e) **Repealed.** 22 Dec 2000 SR 102/200 s3.

as the case requires, to the holder for a fee of \$5.14.

(8) Every person shall carry his game licence and Saskatchewan Wildlife Habitat Licence on his person while hunting.

(9) No person shall hunt any wildlife within Saskatchewan other than:

- (a) at the time;
- (b) in the place;

- (c) for the specie or sex of species; and
- (d) in the manner;

specified in the licence issued to that person.

(10) A Saskatchewan Wildlife Habitat Licence expires on the March 31 following the date of its issue.

(11) Notwithstanding subsection (10), a Saskatchewan Wildlife Habitat Licence that has a fur licence attached is valid for the purposes of trapping until the May 31 following the date of its issue.

(12) No person shall apply for or hold a game licence, fur licence or Saskatchewan Wildlife Habitat Licence while he or she is prohibited pursuant to section 28 or 76 of the Act from applying for or obtaining a licence.

21 Aug 81 cW-13.1 Reg 1 s31; 30 Apr 82 SR 63/82 s6; 3 Sep 82 SR 116/82 s14; 3 Jne 83 SR 71/83 s10; 22 Jly 83 SR 103/83 s10; 14 Sep 84 SR 110/84 s8; 13 Sep 85 SR 100/85 s8; 27 Nov 87 SR 119/87 s9; 23 Sep 88 SR 73/88 s12; 2 Aug 91 SR 59/91 s9; 24 Sep 93 SR 79/93 s11; 6 Sep 96 SR 64/96 s5; 22 May 98 SR 38/98 s5; 22 Sep 2000 SR 71/2000 s5; 22 Dec 2000 SR 102/2000 s3; 6 Aug 2004 SR 67/2004 s5.

Circumstances where licence not revoked

31.1 For the purpose of subsection 19(2) of the Act, subsection 19(1) and section 76 of the Act do not apply to the violation of any of the following provisions of these regulations:

- (a) subsection 18.1(3);
- (b) section 18.4;
- (c) section 21;
- (d) subsections 31(6) and (8);
- (e) subsection 36(3).

24 Sep 93 SR 79/93 s12; 19 Sep 97 SR 87/97 s9; 6 Aug 2004 SR 67/2004 s6.

Possession of dead wildlife

31.2(1) A person who finds dead wildlife may take possession of that wildlife if:

- (a) to that person's knowledge, the wildlife was not killed in contravention of the Act; and
- (b) within seven days of taking possession of the dead wildlife, the person:
 - (i) applies to a wildlife officer for and is granted a licence authorizing possession of dead wildlife;
 - (ii) provides the wildlife to a wildlife officer for inspection; and
 - (iii) pays the applicable licence fee.

(2) Wildlife provided to a wildlife officer pursuant to subclause (1)(b)(ii) may be marked by a wildlife officer for identification in a manner approved by the director.

(3) A person is not required to have a licence authorizing possession of dead wildlife to possess wildlife:

- (a) mentioned in subsection 4(1); or
- (b) taken under a valid hunting and trapping licence.

(4) The fee for a licence authorizing possession of dead wildlife is \$10.

24 Sep 93 SR 79/93 s12.

FUR LICENCES

Fur licence required

32(1) No person shall hunt any fur animals without:

- (a) a Saskatchewan Wildlife Habitat Licence; and
- (b) a fur licence.

(1.1) No person shall sell any fur animals without a fur dealer licence issued pursuant to section 40 or:

- (a) a Saskatchewan Wildlife Habitat Licence; and
- (b) a fur licence.

(2) No person shall hunt any fur animal in any fur conservation area unless he is at least 12 years of age and is the holder of a fur conservation area licence and a Saskatchewan Wildlife Habitat Licence for that area.

(3) Notwithstanding subsection (1), a Saskatchewan resident may hunt coyotes outside the fur conservation block without a fur licence or a Saskatchewan Wildlife Habitat Licence or both.

21 Aug 81 cW-13.1 Reg 1 s32; 3 Sep 82 SR 116/82 s15; 27 Nov 87 SR 119/87 s10; 2 Aug 91 SR 59/91 s10; 24 Sep 93 SR 79/93 s13; 15 Jly 94 SR 45/94 s11; 6 Sep 96 SR 64/96 s6; 8 Mar 2002 SR 19/2002 s11; 20 Jly 2007 SR 61/2007 s6; 2 Jan 2009 SR 129/2008 s7.

Eligibility for fur licences

33(1) No person shall purchase or hold:

(a) a fur licence unless he or she is a Saskatchewan resident and has received a certificate required by *The Firearms Safety/Hunter Education Regulations* and has:

- (i) obtained a mark set by the minister on an examination approved by the minister respecting the hunting of fur animals with traps;
- (ii) held a licence authorizing the hunting of fur animals by means of traps in Saskatchewan or elsewhere; or
- (iii) successfully completed a course approved by the minister respecting the hunting of fur animals with traps; or

(b) a fur conservation area licence unless the person is at least 12 years of age;

(c) **Repealed.** 6 Aug 2004 SR 67/2004 s7.

(2) Notwithstanding clause (1)(a), a member of the Cold Lake First Nations may purchase or hold a fur licence for the access area of Saskatchewan as defined in the Access Agreement between Her Majesty the Queen in right of Canada, Her Majesty the Queen in right of Saskatchewan and the Cold Lake First Nations dated March 19, 2002 if that person:

(a) has received a certificate required by *The Firearms Safety/Hunter Education Regulations*; and

(b) has:

(i) obtained a mark set by the minister on an examination approved by the minister respecting the hunting of fur animals with traps;

(ii) held a licence authorizing the hunting of fur animals by means of traps in Saskatchewan or elsewhere; or

(iii) successfully completed a course approved by the minister respecting the hunting of fur animals with traps.

15 Jly 94 SR 45/94 s12; 28 Mar 2003 SR 13/
2003 s7; 6 Aug 2004 SR 67/2004 s7.

Eligibility for fur licence fur conservation area licence

34(1) Repealed. 19 Sep 97 SR 87/97 s10.

(2) A fur conservation area licence is valid only in the area or zone specified on the licence.

21 Aug 81 cW-13.1 Reg 1 s34; 23 Sep 88 SR 73/
88 s14; 19 Sep 97 SR 87/97 s10.

Rights to fur licences

35(1) A person who has a fur licence and a Saskatchewan Wildlife Habitat Licence who is also the owner or occupant of any land:

(a) that completely surrounds any body of water, has a prior right to carry out trapping operations on that body of water;

(b) across which a river or stream flows or which borders on a body of water, has a prior right to carry out trapping operations on the lesser of:

(i) the half of the stream, river or body of water bordering the lands; or

(ii) the first 30 metres out from the high water mark.

(2) No person shall trap on any bodies of water, streams or rivers described in clause (1)(b) without the permission of the owner or occupant of the adjacent land.

(3) Subsection (1) does not apply within the fur conservation block.

21 Aug 81 cW-13.1 Reg 1 s35; 26 Aug 83 SR
128/83 s9; 27 Nov 87 SR 119/87 s11.

GAME LICENCES

Game licence required

36(1) No person shall hunt any game:

- (a) while the person is prohibited pursuant to section 28 or 76 of the Act from applying for or obtaining a licence; and
- (b) without a big game licence or a game bird licence, as the case may require.

(1.1) No person who holds a game bird licence listed in Table 1 or a big game licence listed in Table 2 shall hunt the game specified in that licence without a Saskatchewan Wildlife Habitat Licence.

(2) Notwithstanding subsections (1) and (1.1), an owner or occupant of any land may, within the limits of that land, hunt upland game birds without a licence and a Saskatchewan Wildlife Habitat Licence during the game bird season.

(3) A person 12 to 15 years of age shall carry with his licence while hunting a copy of the written consent of his parent or guardian that is required when purchasing his licence.

(4) No Canadian resident, other than a Saskatchewan resident, or non-resident may hunt coyotes without a Non-Saskatchewan Resident Coyote Licence and a Saskatchewan Wildlife Habitat Licence.

(5) A Saskatchewan resident may hunt coyotes without a licence.

21 Aug 81 cW-13.1 Reg 1 s36; 3 Jne 83 SR 71/83 s11; 22 Jly 83 SR 103/83 s11; 27 Nov 87 SR 119/87 s12; 17 Aug 90 SR 64/90 s9; 6 Sep 96 SR 64/96 s7; 19 Sep 97 SR 87/97 s11; 22 May 98 SR 38/98 s6; 22 Sep 2000 SR 71/2000 s6; 22 Dec SR 102/2000 s4; 6 Aug 2004 SR 67/2004 s8; 2 Jan 2009 SR 129/2008 s8.

Outfitter Resource Allocation Licence

36.1(1) In this section:

- (a) **"assigned operating area"** means the area of land defined in an outfitter's licence issued pursuant to *The Outfitter and Guide Regulations, 1996* where an outfitter is authorized to provide an outfitting service to hunt wildlife;
- (b) **"outfitter"** means a person to whom an outfitter's licence has been issued pursuant to *The Outfitter and Guide Regulations, 1996*;
- (c) **"Outfitter Allocation Licence"** means a valid licence issued to an outfitter to validate the big game licence held by each of his or her non-resident big game clients pursuant to these regulations;
- (d) **"outfitting service"** means an outfitting service as defined in *The Outfitter and Guide Regulations, 1996*.

(2) An outfitter who provides an outfitting service for clients who are holders of non-resident big game licences or holders of Canadian Resident Guided Moose Licences shall:

- (a) purchase one Outfitter Allocation Licence for each non-resident big game licence or Canadian Resident Guided Moose Licence held by his or her clients to the maximum allocation in the outfitter's licence; and
- (b) affix one Outfitter Allocation Licence to the Saskatchewan Wildlife Habitat Licence of each client corresponding to the type of each big game licence mentioned in this subsection held by the client.

(3) No outfitter shall fail to:

- (a) write the following on an Outfitter Allocation Licence:
 - (i) the outfitter's licence number;
 - (ii) the client's big game licence number; and
 - (iii) the client's Saskatchewan Wildlife Habitat Licence number;
- (b) affix an Outfitter Allocation Licence on a non-resident client's Saskatchewan Wildlife Habitat Licence as required pursuant to subsection (2); or
- (c) return the vendor portion of all Outfitter Allocation Licences purchased by the outfitter to the department by December 31 of the current year.

(4) An Outfitter Allocation Licence is valid only in the assigned operating area of the outfitter to whom the Outfitter Allocation Licence has been issued.

(5) Where an outfitter has more than one assigned operating area for different species of big game, an Outfitter Allocation Licence is valid only in the assigned operating area for the species noted on the licence.

(6) An Outfitter Allocation Licence is valid only for the year in which the licence is issued.

(7) No non-resident shall hunt big game without a big game licence, a Saskatchewan Wildlife Habitat Licence and an Outfitter Allocation Licence.

(8) The fees for Outfitter Allocation Licences are set out in Table 8.

7 Apr 95 SR 19/95 s3; 26 Jly 96 SR 50/96 s9; 19
Sep 97 SR 87/97 s12; 8 Mar 2002 SR 19/2002
s12.

Game bird licence

37(1) The fees for game bird licences are the fees set out in Table 1.

(2) No person shall hold more than one Canadian Resident Game Bird Licence or one Non-resident Game Bird Licence for the open seasons for game birds in any year, and any licence purchased or held in violation of this section is void.

21 Aug 81 cW-13.1 Reg 1 s37; 30 Apr 82 SR 63/
82 s7; 6 Aug 2004 SR 67/2004 s9.

Miscellaneous licences

37.1(1) The fee for a Saskatchewan Wildlife Habitat Licence is \$10.28.

(1.1) The fee for a Non-Saskatchewan Resident Coyote Licence is \$40.45.

(1.2) No person shall purchase or hold more than one Non-Saskatchewan Resident Coyote Licence in each year.

(2) **Repealed.** 22 May 98 SR 38/98 s7.

6 Sep 96 SR 64/96 s8; 22 May 98 SR 38/98 s7;
22 Sep 2000 SR 71/2000 s7; 22 Dec 2000
SR 102/2000 s5.

Saskatchewan Resident Youth Game and Fur Licence

37.2(1) Subject to subsection (2), no person other than a Saskatchewan resident who is of 12 years of age or more but not more than 19 years of age may apply for or hold a Saskatchewan Resident Youth Game Licence or a Saskatchewan Resident Youth Fur Licence.

(2) A person does not contravene subsection (1) where the person:

(a) applies for or holds a Saskatchewan Resident Youth Game Licence or a Saskatchewan Resident Youth Fur Licence prior to his or her nineteenth birthday; and

(b) hunts during the year after that birthday in which the licence mentioned in clause (a) is valid.

(3) A Saskatchewan Resident Youth Game Licence provides the same rights, privileges, restrictions and duties given by the Act and these regulations to:

(a) a Saskatchewan Resident First White-tailed Deer Licence;

(b) a Saskatchewan Resident Game Bird Licence; and

(c) a Big Game Damage Fund Licence.

(4) A Saskatchewan Resident Youth Fur Licence provides the same rights, privileges, restrictions and duties given by the Act and these regulations to a South Saskatchewan Fur Licence or Fur Conservation Area Fur Licence.

2 Aug 91 SR 59/91 s11; 15 Jly 94 SR 45/94 s13;
6 Sep 96 SR 64/96 s9; 9 Jly 99 SR 52/1999 s12.

Big game licence

38(1) No person shall purchase or hold more than one of each of the following licences for the open seasons for big game in each year, and any licence purchased or held in contravention of this section is void:

(a) elk licence;

(b) first barren-ground caribou licence;

(c) second barren-ground caribou licence;

(d) first white-tailed deer licence;

(e) second white-tailed deer licence;

(f) first antlerless white-tailed deer licence;

(g) second antlerless white-tailed deer licence;

(h) mule deer licence;

- (i) first antlerless mule deer licence;
- (j) second antlerless mule deer licence;
- (k) moose licence;
- (l) bear licence;
- (m) antelope licence;
- (n) Saskatchewan Resident Youth Game Licence.

(1.1) **Repealed.** 15 Jly 94 SR 45/94 s14.

(2) **Repealed.** 27 Nov 87 SR 119/87 s14.

(3) **Repealed.** 21 Apr 2006 SR 32/2006 s7.

(4) The fees for big game licences are the fees set out in Table 2.

21 Aug 81 cW-13.1 Reg 1 s38; 30 Apr 82 SR 63/82 s8; 13 Sep 85 SR 100/85 s9; 27 Nov 87 SR 119/87 s14; 23 Sep 88 SR 73/88 s15; 14 Apr 89 SR 17/89 s4; 2 Aug 91 SR 59/91 s12; 24 Sep 93 SR 79/93 s14; 15 Jly 94 SR 45/94 s14; 28 Mar 2003 SR 13/2003 s8; 6 Aug 2004 SR 67/2004 s10; 21 Apr 2006 SR 32/2006 s7.

Big Game Management Licence

38.1(1) The minister may issue Big Game Management Licences to manage a big game species of wildlife if, in the minister's opinion, that big game species of wildlife at a particular place in Saskatchewan is:

- (a) a danger to public safety;
- (b) a public nuisance;
- (c) a threat to agricultural products; or
- (d) at risk of disease or overpopulation.

(2) The minister may indicate on licences mentioned in subsection (1):

- (a) the big game species and the sex of the species for which the licence is valid;
- (b) the places for which the licence is valid; and
- (c) subject to subsection (3), the times for which the licence is valid.

(3) The minister shall issue licences mentioned in subsection (1) only for times between August 1 of one year and March 31 of the following year.

6 Aug 2004 SR 67/2004 s11.

The Open Seasons Game Regulations, 2009

being

Chapter W-13.12 Reg 3 (effective April 1, 2009).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER W-13.12 REG 3

The Wildlife Act, 1998

PART 1

Introductory Matters

Title

- 1 These regulations may be cited as *The Open Seasons Game Regulations, 2009*.

Interpretation

- 2 In these regulations:

- (a) **“Act”** means *The Wildlife Act, 1998*;
- (b) **“antlerless elk”** means:
 - (i) a female elk; or
 - (ii) an elk born in the year in which it is being hunted;
- (c) **“antlerless moose”** means:
 - (i) a female moose; or
 - (ii) a moose born in the year in which it is being hunted;
- (d) **“antlerless mule deer”** means:
 - (i) a female mule deer; or
 - (ii) a mule deer born in the year in which it is being hunted;
- (e) **“antlerless white-tailed deer”** means:
 - (i) a female white-tailed deer; or
 - (ii) a white-tailed deer born in the year in which it is being hunted;
- (f) **“archery”** means hunting with a bow and arrow but does not include hunting with a crossbow;
- (g) **“big game”** means:
 - (i) pronghorn antelope;
 - (ii) black bear;
 - (iii) bison, other than domestically raised bison; and
 - (iv) any member of the deer family, whether known as caribou, deer, elk, moose or otherwise;
- (h) **“bull elk”** means a male elk having an antler at least 15 centimetres in length as measured on the outside curve of the antler from the skull to the tip;
- (i) **“bull moose”** means a male moose that is at least one year old;

- (j) **"Canadian resident"** means a person who has his or her principal residence in Canada and who is a Canadian citizen or has resided in Canada for the 12 months preceding the date of his or her application for a licence;
- (k) **"cock pheasant"** means a male pheasant;
- (l) **"Cypress Hills Inter-Provincial Park (West Block)"** means that portion of Cypress Hills Inter-Provincial Park adjoining the Alberta-Saskatchewan boundary;
- (m) **"doe pronghorn antelope"** means:
- (i) a female pronghorn antelope; or
 - (ii) a pronghorn antelope born in the year in which it is being hunted;
- (n) **"game bird"** means migratory game bird and upland game bird;
- (o) **"migratory game bird"** means any game bird protected by *the Migratory Birds Convention Act* (Canada) or the regulations made pursuant to that Act;
- (p) **"muzzle-loading firearm"** means any firearm that is loaded through the front opening of the barrel;
- (q) **"non-resident"** means a person who is neither a Saskatchewan resident nor a Canadian resident;
- (r) **"North Game Bird District"** includes Wildlife Management Zones 43 and 47 to 76, Fort a la Corne Wildlife Management Unit, Clearwater River, Clarence-Steepbank Lakes, Athabasca Sand Dunes, Greenwater Lake, Lac la Ronge, Meadow Lake, Narrow Hills and Wildcat Hill Provincial Parks and Bronson Forest and Round Lake Recreation Sites;
- (s) **"protected area"** means a protected area constituted pursuant to *The Parks Act*;
- (t) **"provincial park"** means a provincial park constituted pursuant to *The Parks Act*;
- (u) **"recreation site"** means a recreation site constituted pursuant to *The Parks Act*;
- (v) **"Saskatchewan resident"** means a person who:
- (i) is a Canadian resident, has his or her principal residence in Saskatchewan and has resided in Saskatchewan for the three months preceding the date of his or her application for a licence; or
 - (ii) is a member of the regular force of the Canadian Armed Forces or of the Royal Canadian Mounted Police and is stationed and residing in Saskatchewan;
- (w) **"South Game Bird District"** includes Wildlife Management Zones 1 to 19, 21 to 42, 44 to 46, Saskatoon and Regina/Moose Jaw Wildlife Management Zones, Saskatchewan Landing, Duck Mountain and Moose Mountain Provincial Parks, Cypress Hills Inter-Provincial Park (West Block) and that portion of Douglas Provincial Park located west of Diefenbaker Lake (Gordon McKenzie Arm);

(x) **“upland game bird”** means the birds of all species of the following families:

(i) tetraonidae, commonly known as grouse, including ruffed grouse, spruce grouse, sharp-tailed grouse and ptarmigan;

(ii) phasianidae, commonly known as pheasants and partridges, including ring-necked pheasants and European grey or Hungarian partridges;

(y) **“white geese”** means Ross' geese and snow geese, including blue colour phase snow geese;

(z) **“wildlife management unit”** means a wildlife management unit constituted by *The Wildlife Management Zones and Special Areas Boundaries Regulations, 1990*;

(aa) **“wildlife management zone”** means a wildlife management zone constituted by *The Wildlife Management Zones and Special Areas Boundaries Regulations, 1990*.

3 Apr 2009 cW-13.12 Reg 3 s2.

References

3 In these regulations:

(a) references to licences are to licences issued pursuant to the Act and *The Wildlife Regulations, 1981*; and

(b) references to time are references to Central Standard Time.

3 Apr 2009 cW-13.12 Reg 3 s3.

Validity of licence

4 Subject to sections 22, 27, 51, and 58, a licence authorizes the person to whom the licence is issued to hunt only during the calendar year in which the licence is issued.

3 Apr 2009 cW-13.12 Reg 3 s4.

Restrictions and conditions re hunting

5 Every person who hunts pursuant to the authority of these regulations shall comply with any restrictions on and conditions relating to hunting contained in the Act, these regulations and any other regulations made pursuant to the Act, or specified on the person's licence.

3 Apr 2009 cW-13.12 Reg 3 s5.

Regulations subject to restrictions

6 These regulations are subject to any restriction on and conditions relating to hunting contained in the Act, the *Migratory Birds Regulations, Consolidated Regulations of Canada*, chapter 1035, these regulations and any other regulations made pursuant to the Act.

3 Apr 2009 cW-13.12 Reg 3 s6.

Protected areas and recreation sites

7 When a wildlife management zone is open for hunting a species of big game, the following protected areas lying within that wildlife management zone are deemed to be open for hunting that species during the open season in accordance with these regulations:

- (a) Anderson Island Protected Area;
- (b) Waskwei River Protected Area.

3 Apr 2009 cW-13.12 Reg 3 s7.

Means of hunting

8(1) A person who is the holder of a First Saskatchewan Resident Special Antlerless Mule Deer Licence or a Second Saskatchewan Resident Special Antlerless Mule Deer Licence who is also the holder of a Saskatchewan Resident Special Mule Deer Licence may hunt antlerless mule deer during the time for which the Saskatchewan Resident Special Mule Deer Licence is valid.

(2) In all open areas within the South Game Bird District, and in Wildlife Management Zones 43, 47 to 59, and 67 to 69, from September 1 to October 14, the open season for dark geese includes only that part of the day from one-half hour before sunrise to noon.

(3) In those portions of the North Game Bird District and the South Game Bird District lying west of 106 degrees longitude, from September 1 to October 14, the open season for white geese includes only that part of the day from one-half hour before sunrise to noon.

3 Apr 2009 cW-13.12 Reg 3 s8.

PART II

White-tailed Deer Open Seasons

White-tailed deer archery open seasons

9(1) Unless authorized by the director, no person shall hunt white-tailed deer by any means other than a bow and arrow during the white-tailed deer archery open seasons established pursuant to this section.

(2) A person who is the holder of a First Saskatchewan Resident White-tailed Deer Licence may hunt a total of one white-tailed deer of either sex:

- (a) in Wildlife Management Zones 1 to 69 and in Fort à la Corne Wildlife Management Unit, from September 1 to October 31;
- (b) in Wildlife Management Zones 70 to 73, from September 1 to December 7;
- (c) in Cypress Hills Inter-Provincial Park (West Block), in Saskatchewan Landing, Duck Mountain, Moose Mountain, Greenwater Lake, Meadow Lake, Narrow Hills, Clarence-Steepbank Lakes and Wildcat Hill Provincial Parks, in that portion of Douglas Provincial Park lying west of Diefenbaker Lake (Gordon McKenzie Arm) and in Bronson Forest and Round Lake Recreation Sites, from September 10 to October 31; and
- (d) in Lac La Ronge Provincial Park, from September 10 to December 7.

(3) A person who is the holder of a First Canadian Resident White-tailed Deer Licence may hunt a total of one white-tailed deer of either sex:

- (a) in Wildlife Management Zones 48 to 50 and 53 to 69, from September 1 to October 31;
- (b) in Wildlife Management Zones 70 to 73, from September 1 to November 30;
- (c) in Greenwater Lake, Meadow Lake, Narrow Hills, Clarence-Steepbank Lakes and Wildcat Hill Provincial Parks and in Bronson Forest and Round Lake Recreation Sites, from September 10 to October 31; and
- (d) in Lac La Ronge Provincial Park, from September 10 to November 30.

(4) A person who is the holder of a First Non-resident White-tailed Deer Licence may hunt a total of one white-tailed deer of either sex:

- (a) in Wildlife Management Zones 48 to 50, 53 and 55 to 69, from September 1 to October 31;
- (b) in Wildlife Management Zones 70 to 73, from September 1 to December 7;
- (c) in Greenwater Lake, Meadow Lake, Narrow Hills, Clarence-Steepbank Lakes and Wildcat Hill Provincial Parks and in Bronson Forest and Round Lake Recreation Sites, from September 10 to October 31; and
- (d) in Lac La Ronge Provincial Park, from September 10 to December 7.

3 Apr 2009 cW-13.12 Reg 3 s9.

White-tailed deer crossbow open seasons

10(1) Unless authorized by the director, no person shall hunt white-tailed deer by any means other than a bow and arrow or crossbow during the white-tailed deer crossbow open seasons established pursuant to this section.

(2) A person who is the holder of a First Saskatchewan Resident White-tailed Deer Licence may hunt a total of one white-tailed deer of either sex in Regina/Moose Jaw, Saskatoon and Buckland-Prince Albert Wildlife Management Zones, from September 1 to December 7.

(3) A person who is the holder of a Canadian Resident White-tailed Deer Licence may hunt a total of one white-tailed deer of either sex in Regina/Moose Jaw, Saskatoon and Buckland-Prince Albert Wildlife Management Zones, from September 1 to November 30.

3 Apr 2009 cW-13.12 Reg 3 s10.

White-tailed deer muzzle-loading firearm open seasons

11(1) Unless authorized by the director, no person shall hunt white-tailed deer by any means other than a bow and arrow, crossbow or muzzle-loading firearm during the white-tailed deer muzzle-loading firearm open seasons established pursuant to this section.

(2) A person who is the holder of a First Saskatchewan Resident White-tailed Deer Licence may hunt a total of one white-tailed deer of either sex:

- (a) in Wildlife Management Zones 1 to 55, in Cypress Hills Inter-Provincial Park (West Block), in Saskatchewan Landing, Duck Mountain and Moose Mountain Provincial Parks, in that portion of Douglas Provincial Park lying west of Diefenbaker Lake (Gordon McKenzie Arm) and in Fort a la Corne Wildlife Management Unit, from October 1 to October 31;
- (b) in Wildlife Management Zones 56 to 69, from September 1 to October 31;
- (c) in Regina/Moose Jaw and Saskatoon Wildlife Management Zones, from October 1 to December 7;
- (d) in Greenwater Lake, Meadow Lake, Narrow Hills, Clarence-Steepbank Lakes and Wildcat Hill Provincial Parks and in Bronson Forest and Round Lake Recreation Sites, from September 10 to October 31;
- (e) in Wildlife Management Zones 70 to 73, from September 1 to December 7; and
- (f) in Lac La Ronge Provincial Park, from September 10 to December 7.

(3) A person who is the holder of a First Canadian Resident White-tailed Deer Licence may hunt a total of one white-tailed deer of either sex:

- (a) in Wildlife Management Zones 48 to 50 and 53 to 55, from October 1 to October 31;
- (b) in Wildlife Management Zones 56 to 69, from September 1 to October 31;
- (c) in Regina/Moose Jaw and Saskatoon Wildlife Management Zones, from October 1 to November 30;
- (d) in Greenwater Lake, Meadow Lake, Narrow Hills, Clarence-Steepbank Lakes and Wildcat Hill Provincial Parks and in Bronson Forest and Round Lake Recreation Sites, from September 10 to October 31;
- (e) in Wildlife Management Zones 70 to 73, from September 1 to November 30; and
- (f) in Lac La Ronge Provincial Park, from September 10 to November 30.

(4) A person who is the holder of a First Non-resident White-tailed Deer Licence may hunt a total of one white-tailed deer of either sex:

- (a) in Wildlife Management Zones 48 to 50, 53 and 55, from October 1 to October 31;
- (b) in Wildlife Management Zones 56 to 69, from September 1 to October 31;
- (c) in Wildlife Management Zones 70 to 73, from September 1 to December 7;
- (d) in Greenwater Lake, Meadow Lake, Narrow Hills, Clarence-Steepbank Lakes and Wildcat Hill Provincial Parks and in Bronson Forest and Round Lake Recreation Sites, from September 10 to October 31; and
- (e) in Lac La Ronge Provincial Park, from September 10 to December 7.

White-tailed deer shotgun open seasons

12(1) Unless authorized by the director, no person shall hunt white-tailed deer by any means other than a bow and arrow, crossbow, muzzle-loading firearm or shotgun during the white-tailed deer shotgun open seasons established pursuant to this section.

(2) A person who is the holder of a First Saskatchewan Resident White-tailed Deer Licence may hunt a total of one white-tailed deer of either sex in Regina/Moose Jaw and Saskatoon Wildlife Management Zones, from November 1 to December 7.

(3) A person who is the holder of a First Canadian Resident White-tailed Deer Licence may hunt a total of one white-tailed deer of either sex in Regina/Moose Jaw and Saskatoon Wildlife Management Zones, from November 25 to November 30.

3 Apr 2009 cW-13.12 Reg 3 s12.

White-tailed deer rifle open seasons

13(1) No person shall hunt white-tailed deer by any means other than the means prescribed in *The Wildlife Regulations, 1981* during the white-tailed deer rifle open seasons established pursuant to this section.

(2) A person who is the holder of a First Saskatchewan Resident White-tailed Deer Licence may hunt a total of one white-tailed deer of either sex:

(a) in Wildlife Management Zones 1 to 19, 21 to 41 and 44 to 47, in Cypress Hills Inter-Provincial Park (West Block), in Moose Mountain, Saskatchewan Landing and Duck Mountain Provincial Parks, in that portion of Douglas Provincial Park lying west of Diefenbaker Lake (Gordon McKenzie Arm) and in Last Mountain Lake National Wildlife Area, from November 15 to December 7;

(b) in Wildlife Management Zones 42, 43, 48 to 55 and in Fort a la Corne Wildlife Management Unit, from November 1 to December 7;

(c) in Wildlife Management Zones 56 to 69, in Greenwater Lake, Meadow Lake, Narrow Hills, Wildcat Hill and Clarence-Steepbank Lakes Provincial Parks and in Bronson Forest and Round Lake Recreation Sites, from October 1 to December 7;

(d) in Wildlife Management Zones 70 to 73, from September 1 to December 7; and

(e) in Lac la Ronge Provincial Park, from September 10 to December 7.

(3) A person who is the holder of a First Canadian Resident White-tailed Deer Licence may hunt a total of one white-tailed deer of either sex:

(a) in Wildlife Management Zones 1 to 19, 21 to 55, in Cypress Hills Inter-Provincial Park (West Block), in Duck Mountain, Moose Mountain and Saskatchewan Landing Provincial Parks, in that portion of Douglas Provincial Park lying west of Diefenbaker Lake (Gordon McKenzie Arm), in Last Mountain Lake National Wildlife Area and in Fort a la Corne Wildlife Management Unit, from November 25 to November 30;

- (b) in Wildlife Management Zones 56 to 69, in Greenwater Lake, Meadow Lake, Narrow Hills, Wildcat Hill and Clarence-Steepbank Lakes Provincial Parks and in Bronson Forest and Round Lake Recreation Sites, from November 1 to November 30;
 - (c) in Wildlife Management Zones 70 to 73, from September 1 to November 30; and
 - (d) in Lac la Ronge Provincial Park, from September 10 to November 30.
- (4) A person who is the holder of a First Non-resident White-tailed Deer Licence may hunt a total of one white-tailed deer of either sex:
- (a) in Wildlife Management Zones 56 to 66 and 69, in Greenwater Lake, Meadow Lake, Narrow Hills, Wildcat Hill and Clarence-Steepbank Lakes Provincial Parks and in Round Lake Recreation Site, from October 1 to December 7;
 - (b) in Wildlife Management Zones 48 to 50, 53, 55, 67, 68 South and 68 North and in Bronson Forest Recreation Site, from November 1 to December 7;
 - (c) in Wildlife Management Zones 70 to 73, from September 1 to December 7; and
 - (d) in Lac la Ronge Provincial Park, from September 10 to December 7.

3 Apr 2009 cW-13.12 Reg 3 s13.

Antlerless white-tailed deer archery open seasons

14(1) Unless authorized by the director, no person shall hunt antlerless white-tailed deer by any means other than a bow and arrow during the antlerless white-tailed deer archery open seasons established pursuant to this section.

(2) A person who is a Saskatchewan resident and the holder of a First Saskatchewan Antlerless White-tailed Deer Licence may hunt a total of one antlerless white-tailed deer:

- (a) in Wildlife Management Zones 1 to 19, 21 to 25, 29 to 43, 45 to 55 and 68 South and in Fort a la Corne Wildlife Management Unit, from September 1 to October 31; and
- (b) in Cypress Hills Inter-Provincial Park (West Block), in Saskatchewan Landing, Duck Mountain and Moose Mountain Provincial Parks, in that portion of Douglas Provincial Park lying west of Diefenbaker Lake (Gordon McKenzie Arm) and in Bronson Forest Recreation Site, from September 10 to October 31.

(3) A person who is a Saskatchewan resident and the holder of a Second Saskatchewan Antlerless White-tailed Deer Licence may hunt a total of two antlerless white-tailed deer:

- (a) in Wildlife Management Zones 2, 5, 6, 7, 10 to 14, 24, 29, 30, 43, 45, 46, 47, 50, 54 and 68 South and in Fort a la Corne Wildlife Management Unit, from September 1 to October 31; and
- (b) in Cypress Hills Inter-Provincial Park (West Block), in Saskatchewan Landing Provincial Park and in Bronson Forest Recreation Site, from September 10 to October 31.

3 Apr 2009 cW-13.12 Reg 3 s14.

Antlerless white-tailed deer crossbow open seasons

15(1) Unless authorized by the director, no person shall hunt antlerless white-tailed deer by any means other than a bow and arrow or crossbow during the antlerless white-tailed deer crossbow open seasons established pursuant to this section.

(2) A person who is a Saskatchewan resident and the holder of a First Saskatchewan Antlerless White-tailed Deer Licence may hunt a total of one antlerless white-tailed deer in Regina/Moose Jaw, Saskatoon and Buckland-Prince Albert Wildlife Management Zones, from September 1 to December 7.

(3) A person who is a Saskatchewan resident and the holder of a Second Saskatchewan Antlerless White-tailed Deer Licence may hunt a total of two antlerless white-tailed deer in Regina/Moose Jaw, Saskatoon and Buckland-Prince Albert Wildlife Management Zones, from September 1 to December 7.

3 Apr 2009 cW-13.12 Reg 3 s15.

Antlerless white-tailed deer muzzle-loading firearm open seasons

16(1) Unless authorized by the director, no person shall hunt antlerless white-tailed deer by any means other than a bow and arrow, crossbow or muzzle-loading firearm during the antlerless white-tailed deer muzzle-loading firearm open seasons established pursuant to this section.

(2) A person who is a Saskatchewan resident and the holder of a First Saskatchewan Antlerless White-tailed Deer Licence may hunt a total of one antlerless white-tailed deer:

(a) in Wildlife Management Zones 1 to 25, 29 to 43 and 45 to 55, in Cypress Hills Inter-Provincial Park (West Block), in Saskatchewan Landing, Moose Mountain and Duck Mountain Provincial Parks, in that portion of Douglas Provincial Park lying west of Diefenbaker Lake (Gordon McKenzie Arm) and in Fort a la Corne Wildlife Management Unit, from October 1 to October 31;

(b) in Regina/Moose Jaw and Saskatoon Wildlife Management Zones, from October 1 to December 7;

(c) in Wildlife Management Zone 68 South, from September 1 to October 31; and

(d) in Bronson Forest Recreation Site, from September 10 to October 31.

(3) A person who is a Saskatchewan resident and the holder of a Second Saskatchewan Antlerless White-tailed Deer Licence may hunt a total of two antlerless white-tailed deer:

(a) in Wildlife Management Zones 2, 5, 6, 7, 10 to 14, 24, 29, 30, 43, 45, 46, 47, 50 and 54, in Cypress Hills Inter-Provincial Park (West Block), in Saskatchewan Landing Provincial Park and in Fort a la Corne Wildlife Management Unit, from October 1 to October 31;

(b) in Regina/Moose Jaw and Saskatoon Wildlife Management Zones, from October 1 to December 7;

(c) in Wildlife Management Zone 68 South, from September 1 to October 31; and

(d) in Bronson Forest Recreation Site, from September 10 to October 31.

3 Apr 2009 cW-13.12 Reg 3 s16.

Antlerless white-tailed deer shotgun open seasons

17(1) Unless authorized by the director, no person shall hunt antlerless white-tailed deer by any means other than a bow and arrow, crossbow, muzzle-loading firearm or shotgun during the antlerless white-tailed deer shotgun open seasons established pursuant to this section.

(2) A person who is a Saskatchewan resident and the holder of a First Saskatchewan Antlerless White-tailed Deer Licence may hunt a total of one antlerless white-tailed deer in Regina/Moose Jaw and Saskatoon Wildlife Management Zones, from November 1 to December 7.

(3) A person who is a Saskatchewan resident and the holder of a Second Saskatchewan Antlerless White-tailed Deer Licence may hunt a total of two antlerless white-tailed deer in Regina/Moose Jaw and Saskatoon Wildlife Management Zones, from November 1 to December 7.

3 Apr 2009 cW-13.12 Reg 3 s17.

Antlerless white-tailed deer rifle open seasons

18(1) No person shall hunt antlerless white-tailed deer by any means other than the means prescribed in *The Wildlife Regulations, 1981* during the antlerless white-tailed deer rifle open seasons established pursuant to this section.

(2) A person who is a Saskatchewan resident and the holder of a First Saskatchewan Antlerless White-tailed Deer Licence may hunt a total of one antlerless white-tailed deer:

(a) in Wildlife Management Zones 42, 43 and 48 to 55 and in Fort a la Corne Wildlife Management Unit, from November 1 to December 7;

(b) in Wildlife Management Zones 1 to 19, 21 to 25, 29 to 41, 45 to 47 and 55, in Cypress Hills Inter-Provincial Park (West Block), in Saskatchewan Landing, Moose Mountain and Duck Mountain Provincial Parks, in that portion of Douglas Provincial Park lying west of Diefenbaker Lake (Gordon McKenzie Arm) and in Last Mountain Lake National Wildlife Area, from November 15 to December 7; and

(c) in Wildlife Management Zone 68 South and in Bronson Forest Recreation Site, from October 1 to December 7.

(3) A person who is a Saskatchewan resident and the holder of a Second Saskatchewan Antlerless White-tailed Deer Licence may hunt a total of two antlerless white-tailed deer:

(a) in Wildlife Management Zones 43, 50 and 54 and in Fort a la Corne Wildlife Management Unit, from November 1 to December 7;

(b) in Wildlife Management Zones 2, 5, 6, 7, 10 to 14, 24, 29, 30 and 45 to 47, in Saskatchewan Landing Provincial Park and in Cypress Hills Inter-Provincial Park (West Block), from November 15 to December 7; and

(c) in Wildlife Management Zone 68 South and in Bronson Forest Recreation Site, from October 1 to December 7.

3 Apr 2009 cW-13.12 Reg 3 s18.

PART III
Elk Open Seasons

Elk archery open seasons

19(1) Unless authorized by the director, no person shall hunt elk by any means other than a bow and arrow during the elk archery open seasons established pursuant to this section.

(2) A person who is the holder of a Saskatchewan Resident Elk Licence may hunt a total of one elk of either sex:

(a) in Wildlife Management Zones 48 to 50, 53, 55 to 67, 68 South and 69, in that portion of Wildlife Management Zone 42 lying east of Provincial Highway No. 35 and in that portion of Wildlife Management Zone 47 lying north of Provincial Highway No. 3 and Provincial Highway No. 26, from August 20 to September 4 and October 1 to October 4; and

(b) in Narrow Hills, Meadow Lake, Clarence-Steepbank Lakes and Wildcat Hill Provincial Parks and in Bronson Forest and Round Lake Recreation Sites, from October 1 to October 4.

3 Apr 2009 cW-13.12 Reg 3 s19.

Elk archery and muzzle-loading firearm and rifle open seasons

20(1) No person shall hunt elk by any means other than a bow and arrow, crossbow, muzzle-loading firearm, or by any means other than the means prescribed in *The Wildlife Regulations, 1981* during the elk open seasons established pursuant to this section.

(2) A person who is the holder of a Saskatchewan Resident Elk Licence may hunt a total of one bull elk:

(a) in Wildlife Management Zones 48, 49 and 56 to 59, in Wildcat Hill Provincial Park, in Round Lake Recreation Site and in that portion of Wildlife Management Zone 42 lying east of Provincial Highway No. 35, from September 15 to September 19; and

(b) in Wildlife Management Zones 50, 53, 55, 60 to 67, 68 South and 69, in Narrow Hills, Meadow Lake and Clarence-Steepbank Lakes Provincial Parks and in that portion of Wildlife Management Zone 47 lying north of Provincial Highway No. 3 and Provincial Highway No. 26, from September 15 to September 30.

(3) A person who is the holder of a Saskatchewan Resident Elk Licence may hunt a total of one elk of either sex:

(a) in that portion of Wildlife Management Zone 53 lying east of Provincial Highway No. 55, from November 15 to November 30; and

(b) in Wildlife Management Zones 48, 49 and 56 to 59, in Wildcat Hill Provincial Park, in Round Lake Recreation Site and in that portion of Wildlife Management Zone 42 lying east of Provincial Highway No. 35, from September 20 to September 30.

3 Apr 2009 cW-13.12 Reg 3 s20.

Elk archery and muzzle-loading firearm and shotgun special open seasons

21(1) Unless authorized by the director, no person shall hunt elk by any means other than a bow and arrow, crossbow, muzzle-loading firearm or shotgun during the elk shotgun special open seasons established pursuant to this section.

(2) A person who is the holder of a Saskatchewan Resident Special Elk Licence may hunt a total of one elk of either sex in Regina/Moose Jaw and Saskatoon Wildlife Management Zones, from September 1 to September 30.

(3) A person who is the holder of a Saskatchewan Resident Special Elk Licence may hunt a total of one antlerless elk in Regina/Moose Jaw and Saskatoon Wildlife Management Zones from October 15 to October 31 and December 8 to December 19.

3 Apr 2009 cW-13.12 Reg 3 s21.

Elk archery and muzzle-loading firearm and rifle special open seasons

22(1) No person shall hunt elk by any means other than a bow and arrow, crossbow, muzzle-loading firearm, or by any means other than the means prescribed in *The Wildlife Regulations, 1981* during the elk special open seasons established pursuant to this section.

(2) A person who is the holder of a Saskatchewan Resident Special Elk Licence may hunt a total of one elk of either sex:

(a) in Wildlife Management Zones 1 to 70 and in Fort à la Corne Wildlife Management Unit, from September 1 to September 30; and

(b) in Cypress Hills Inter-Provincial Park (West Block), in Saskatchewan Landing, Moose Mountain, Duck Mountain, Greenwater Lake, Narrow Hills, Wildcat Hill, Meadow Lake and Clarence-Steepbank Lakes Provincial Parks, in Bronson Forest and Round Lake Recreation Sites and in that portion of Douglas Provincial Park lying west of Diefenbaker Lake (Gordon McKenzie Arm), from September 10 to September 30.

(3) A person who is the holder of a Saskatchewan Resident Special Elk Licence may hunt a total of one antlerless elk:

(a) in Wildlife Management Zones 1 to 5 and 8 to 70, in Cypress Hills Inter-Provincial Park (West Block), in Saskatchewan Landing, Moose Mountain, Duck Mountain, Greenwater Lake, Narrow Hills, Wildcat Hill, Meadow Lake and Clarence-Steepbank Lakes Provincial Parks, in Bronson Forest and Round Lake Recreation Sites, in that portion of Wildlife Management Zone 7 lying west of Provincial Highway No. 271 and Grid Road No. 615 and in that portion of Douglas Provincial Park lying west of Diefenbaker Lake (Gordon McKenzie Arm), from October 15 to October 31 and December 8 to December 19; and

(b) in Wildlife Management Zone 6 and that portion of Wildlife Management Zone 7 lying east of Provincial Highway No. 271 and Grid Road No. 615, from September 10 to December 19 in each year and January 5 to February 28 in the following year.

3 Apr 2009 cW-13.12 Reg 3 s22.

PART IV Moose Open Seasons

Moose archery open seasons

23(1) Unless authorized by the director, no person shall hunt moose by any means other than a bow and arrow during the moose archery open seasons established pursuant to this section.

(2) A person who is the holder of a Saskatchewan Resident Moose Licence may hunt a total of one bull moose in Wildlife Management Zones 55 to 59, 63 to 67, 68 South, 68 North and 69, in Narrow Hills, Meadow Lake, Wildcat Hill and Clarence-Steepbank Lakes Provincial Parks and in Round Lake and Bronson Forest Recreation Sites, from September 15 to September 30.

(3) A person who is the holder of a Canadian Resident Guided Moose Licence or a Non-resident Guided Moose Licence may hunt a total of one bull moose in Wildlife Management Zone 69, from September 15 to September 30.

3 Apr 2009 cW-13.12 Reg 3 s23.

Moose archery and muzzle-loading firearm and rifle open seasons

24(1) No person shall hunt moose by any means other than a bow and arrow, crossbow, muzzle-loading firearm, or by any means other than the means prescribed in *The Wildlife Regulations, 1981* during the moose open seasons established pursuant to this section.

(2) A person who is the holder of a Saskatchewan Resident Moose Licence may hunt a total of one bull moose:

(a) in Wildlife Management Zones 55 to 59, 63 to 67, 68 South, 68 North and 69, in Narrow Hills, Meadow Lake, Wildcat Hill and Clarence-Steepbank Lakes Provincial Parks and in Bronson Forest and Round Lake Recreation Sites, from October 15 to October 31 and November 20 to November 30;

(b) in Wildlife Management Zones 70 to 76, from September 1 to November 30; and

(c) in Lac la Ronge, Athabasca Sand Dunes and Clearwater River Provincial Parks, from September 10 to November 30.

(3) A person who is the holder of a Canadian Resident Guided Moose Licence or a Non-resident Guided Moose Licence may hunt a total of one bull moose:

(a) in Wildlife Management Zones 60 to 62, from October 1 to October 14 and November 1 to November 14;

(b) in Wildlife Management Zone 69, from October 15 to October 31 and November 20 to November 30;

(c) in Wildlife Management Zones 70 to 76, from September 1 to November 30; and

(d) in Lac la Ronge, Athabasca Sand Dunes and Clearwater River Provincial Parks, from September 10 to November 30.

3 Apr 2009 cW-13.12 Reg 3 s24.

Moose archery and muzzle-loading firearm and shotgun special open seasons

25(1) Unless authorized by the director, no person shall hunt moose by any means other than a bow and arrow, crossbow, muzzle-loading firearm or shotgun during the moose shotgun special open seasons established pursuant to this section.

(2) A person who is the holder of a Saskatchewan Resident Special Moose Licence may hunt a total of one moose of either sex in Regina/Moose Jaw and Saskatoon Wildlife Management Zones, from October 1 to October 14 and November 1 to November 14.

(3) A person who is the holder of a Saskatchewan Resident Special Moose Licence may hunt a total of one antlerless moose in Regina/Moose Jaw and Saskatoon Wildlife Management Zones, from October 15 to November 14.

3 Apr 2009 cW-13.12 Reg 3 s25.

Moose archery and muzzle-loading firearm and rifle special open seasons

26(1) No person shall hunt moose by any means other than a bow and arrow, crossbow, muzzle-loading firearm, or by any means other than the means prescribed in *The Wildlife Regulations, 1981* during the moose special open seasons established pursuant to this section.

(2) A person who is the holder of a Saskatchewan Resident Special Moose Licence may hunt a total of one moose of either sex in Wildlife Management Zones 1 to 69, in Cypress Hills Inter-Provincial Park (West Block), in Saskatchewan Landing, Moose Mountain, Duck Mountain, Greenwater Lake, Meadow Lake, Narrow Hills, Clarence-Steepbank Lakes and Wildcat Hill Provincial Parks, in Bronson Forest and Round Lake Recreation Sites, in that portion of Douglas Provincial Park lying west of Diefenbaker Lake (Gordon McKenzie Arm) and in Fort a la Corne Wildlife Management Unit, from October 1 to October 14 and November 1 to November 14.

(3) A person who is the holder of a Saskatchewan Resident Special Moose Licence may hunt a total of one antlerless moose in Wildlife Management Zones 1 to 69, in Cypress Hills Inter-Provincial Park (West Block), in Saskatchewan Landing, Moose Mountain, Duck Mountain, Greenwater Lake, Meadow Lake, Narrow Hills, Clarence-Steepbank Lakes and Wildcat Hill Provincial Parks, in Bronson Forest and Round Lake Recreation Sites, in that portion of Douglas Provincial Park lying west of Diefenbaker Lake (Gordon McKenzie Arm) and in Fort a la Corne Wildlife Management Unit, from October 15 to November 14.

3 Apr 2009 cW-13.12 Reg 3 s26.

PART V

Barren-Ground Caribou, Bison and Black Bear Open Seasons**Barren-ground caribou archery and muzzle-loading firearm and rifle open seasons**

27(1) No person shall hunt barren-ground caribou by any means other than a bow and arrow, crossbow, muzzle-loading firearm, or by any means other than the means prescribed in *The Wildlife Regulations, 1981* during the barren-ground caribou open seasons established pursuant to this section.

(2) A person who is the holder of a First Saskatchewan Resident Barren-ground Caribou Licence or a Second Saskatchewan Resident Barren-ground Caribou Licence who resides in Wildlife Management Zone 76 may hunt barren-ground caribou of either sex in Wildlife Management Zone 76, from October 15 in each year to April 14 in the following year.

3 Apr 2009 cW-13.12 Reg 3 s27.

Plains bison archery and muzzle-loading firearm and rifle special open seasons

28(1) No person shall hunt plains bison by any means other than a bow and arrow, crossbow, muzzle-loading firearm, or by any means other than the means prescribed in *The Wildlife Regulations, 1981* during the plains bison special open seasons established pursuant to this section.

(2) A person who is the holder of a Saskatchewan Resident Special Plains Bison Licence may hunt a total of one plains bison of either sex in Wildlife Management Zones 53, 66, 67 and 69, from September 1 to December 19.

3 Apr 2009 cW-13.12 Reg 3 s28.

Black bear archery and muzzle-loading firearm and rifle open seasons

29(1) No person shall hunt black bear by any means other than a bow and arrow, crossbow, muzzle-loading firearm, shotgun or by any means other than the means prescribed in *The Wildlife Regulations, 1981* during the black bear open seasons established pursuant to this section.

(2) A person who is the holder of a Saskatchewan Resident Black Bear Licence, a Canadian Resident Black Bear Licence or a Non-resident Black Bear Licence may hunt a total of one black bear of either sex:

- (a) in Wildlife Management Zones 30, 34 to 40 and 42 to 76, from April 15 to June 30 and August 25 to October 14;
- (b) in Duck Mountain, Greenwater Lake, Narrow Hills, Meadow Lake, Clarence-Steepbank Lakes and Lac la Ronge Provincial Parks and in Bronson Forest and Round Lake Recreation Sites, from April 15 to May 31 and September 10 to October 14; and
- (c) in Wildcat Hill, Athabasca Sand Dunes and Clearwater River Provincial Parks and in Fort a la Corne Wildlife Management Unit, from April 15 to June 30 and September 10 to October 14.

3 Apr 2009 cW-13.12 Reg 3 s29.

PART VI
Mule Deer Open Seasons

Mule deer archery open seasons

30(1) Unless authorized by the director, no person shall hunt mule deer by any means other than a bow and arrow during the mule deer archery open seasons established pursuant to this section.

(2) A person who is the holder of a Saskatchewan Resident Archery Mule Deer Licence may hunt a total of one mule deer of either sex:

(a) in Wildlife Management Zones 1 to 9, 15 to 19, 21 to 23, 25 to 28, 30, 40, 41, 42, 44, 52, 54 and 55, from September 1 to October 31; and

(b) in Cypress Hills Inter-Provincial Park (West Block) and in that portion of Douglas Provincial Park lying west of Diefenbaker Lake (Gordon McKenzie Arm), from September 10 to October 31.

3 Apr 2009 cW-13.12 Reg 3 s30.

Mule deer crossbow open seasons

31(1) Unless authorized by the director, no person shall hunt mule deer by any means other than a bow and arrow or crossbow during the mule deer crossbow open seasons established pursuant to this section.

(2) A person who is the holder of a Saskatchewan Resident Archery Mule Deer Licence may hunt a total of one mule deer of either sex in Regina/Moose Jaw and Saskatoon Wildlife Management Zones, from September 1 to December 7.

3 Apr 2009 cW-13.12 Reg 3 s31.

Mule deer archery special open seasons

32(1) Unless authorized by the director, no person shall hunt mule deer by any means other than a bow and arrow during the mule deer archery special open seasons established pursuant to this section.

(2) A person who is the holder of a Saskatchewan Resident Special Mule Deer Licence may hunt a total of one mule deer of either sex:

(a) in Wildlife Management Zones 1 to 55 and 68 South and in Fort a la Corne Wildlife Management Unit, from September 1 to October 31; and

(b) in Cypress Hills Inter-Provincial Park (West Block), in Saskatchewan Landing, Moose Mountain and Duck Mountain Provincial Parks, in that portion of Douglas Provincial Park lying west of Diefenbaker Lake (Gordon McKenzie Arm) and in Bronson Forest Recreation Site, from September 10 to October 31.

3 Apr 2009 cW-13.12 Reg 3 s32.

Mule deer crossbow special open seasons

33(1) Unless authorized by the director, no person shall hunt mule deer by any means other than a bow and arrow or crossbow during the mule deer crossbow special open seasons established pursuant to this section.

(2) A person who is the holder of a Saskatchewan Resident Special Mule Deer Licence may hunt a total of one mule deer of either sex in Regina/Moose Jaw, Saskatoon and Buckland-Prince Albert Wildlife Management Zones, from September 1 to December 7.

3 Apr 2009 cW-13.12 Reg 3 s33.

Mule deer muzzle-loading firearm special open seasons

34(1) No person shall hunt mule deer by any means other than a bow and arrow, crossbow or muzzle-loading firearm during the mule deer muzzle-loading firearm special open seasons established pursuant to this section.

(2) A person who is the holder of a Saskatchewan Resident Special Mule Deer Licence may hunt a total of one mule deer of either sex:

(a) in Wildlife Management Zones 1 to 55 and 68 South, in Cypress Hills Inter-Provincial Park (West Block), in Saskatchewan Landing, Moose Mountain and Duck Mountain Provincial Parks, in that portion of Douglas Provincial Park lying west of Diefenbaker Lake (Gordon McKenzie Arm), in Fort a la Corne Wildlife Management Unit and in Bronson Forest Recreation Site, from October 1 to October 31; and

(b) in Regina/Moose Jaw and Saskatoon Wildlife Management Zones, from October 1 to December 7.

3 Apr 2009 cW-13.12 Reg 3 s34.

Mule deer shotgun special open seasons

35(1) Unless authorized by the director, no person shall hunt mule deer by any means other than a bow and arrow, crossbow, muzzle-loading firearm or shotgun during the mule deer shotgun special open seasons established pursuant to this section.

(2) A person who is the holder of a Saskatchewan Resident Special Mule Deer Licence may hunt a total of one mule deer of either sex in Regina/Moose Jaw and Saskatoon Wildlife Management Zones, from November 1 to December 7.

3 Apr 2009 cW-13.12 Reg 3 s35.

Mule deer rifle special open seasons

36(1) No person shall hunt mule deer by any means other than the means prescribed in *The Wildlife Regulations, 1981* during the mule deer rifle special open seasons established pursuant to this section.

(2) A person who is the holder of a Saskatchewan Resident Special Mule Deer Licence may hunt a total of one mule deer of either sex in Wildlife Management Zones 1 to 55 and 68 South, in Cypress Hills Inter-Provincial Park (West Block), in Saskatchewan Landing, Moose Mountain and Duck Mountain Provincial Parks, in that portion of Douglas Provincial Park lying west of Diefenbaker Lake (Gordon McKenzie Arm), in Fort a la Corne Wildlife Management Unit and in Bronson Forest Recreation Site, from November 1 to November 14.

3 Apr 2009 cW-13.12 Reg 3 s36.

Antlerless mule deer archery special open seasons

37(1) Unless authorized by the director, no person shall hunt antlerless mule deer by any means other than a bow and arrow during the antlerless mule deer archery special open seasons established pursuant to this section.

(2) A person who is the holder of a First Saskatchewan Resident Special Antlerless Mule Deer Licence may hunt a total of two antlerless mule deer:

(a) in Wildlife Management Zones 1 to 55 and 68 South and in Fort a la Corne Wildlife Management Unit, from September 1 to October 31; and

(b) in Cypress Hills Inter-Provincial Park (West Block), in Saskatchewan Landing, Moose Mountain and Duck Mountain Provincial Parks, in that portion of Douglas Provincial Park lying west of Diefenbaker Lake (Gordon McKenzie Arm) and in Bronson Forest Recreation Site, from September 10 to October 31.

(3) A person who is the holder of a Second Saskatchewan Resident Special Antlerless Mule Deer Licence may hunt a total of two antlerless mule deer:

(a) in Wildlife Management Zones 1 to 55 and 68 South and in Fort a la Corne Wildlife Management Unit, from September 1 to October 31; and

(b) in Cypress Hills Inter-Provincial Park (West Block), in Saskatchewan Landing, Moose Mountain and Duck Mountain Provincial Parks, in that portion of Douglas Provincial Park lying west of Diefenbaker Lake (Gordon McKenzie Arm) and in Bronson Forest Recreation Site, from September 10 to October 31.

3 Apr 2009 cW-13.12 Reg 3 s37.

Antlerless mule deer crossbow special open seasons

38(1) Unless authorized by the director, no person shall hunt antlerless mule deer by any means other than a bow and arrow or crossbow during the antlerless mule deer crossbow special open seasons established pursuant to this section.

(2) A person who is the holder of a First Saskatchewan Resident Special Antlerless Mule Deer Licence may hunt a total of two antlerless mule deer in Regina/Moose Jaw, Saskatoon and Buckland-Prince Albert Wildlife Management Zones, from September 1 to December 7.

(3) A person who is the holder of a Second Saskatchewan Resident Special Antlerless Mule Deer Licence may hunt a total of two antlerless mule deer in Regina/Moose Jaw, Saskatoon and Buckland-Prince Albert Wildlife Management Zones, from September 1 to December 7.

3 Apr 2009 cW-13.12 Reg 3 s38.

Antlerless mule deer muzzle-loading firearm special open seasons

39(1) Unless authorized by the director, no person shall hunt antlerless mule deer by any means other than a bow and arrow, crossbow or muzzle-loading firearm during the antlerless mule deer muzzle-loading firearm special open seasons established pursuant to this section.

(2) A person who is the holder of a First Saskatchewan Resident Special Antlerless Mule Deer Licence may hunt a total of two antlerless mule deer:

(a) in Wildlife Management Zones 1 to 55 and 68 South, in Cypress Hills Inter-Provincial Park (West Block), in Saskatchewan Landing, Moose Mountain and Duck Mountain Provincial Parks, in that portion of Douglas Provincial Park lying west of Diefenbaker Lake (Gordon McKenzie Arm), in Fort a la Corne Wildlife Management Unit and in Bronson Forest Recreation Site, from October 1 to October 31; and

(b) in Regina/Moose Jaw and Saskatoon Wildlife Management Zones, from October 1 to December 7.

(3) A person who is the holder of a Second Saskatchewan Resident Special Antlerless Mule Deer Licence may hunt a total of two antlerless mule deer:

(a) in Wildlife Management Zones 1 to 55 and 68 South, in Cypress Hills Inter-Provincial Park (West Block), in Saskatchewan Landing, Moose Mountain and Duck Mountain Provincial Parks, in that portion of Douglas Provincial Park lying west of Diefenbaker Lake (Gordon McKenzie Arm), in Fort a la Corne Wildlife Management Unit and in Round Lake and Bronson Forest Recreation Sites, from October 1 to October 31; and

(b) in Regina/Moose Jaw and Saskatoon Wildlife Management Zones, from October 1 to December 7.

3 Apr 2009 cW-13.12 Reg 3 s39.

Antlerless mule deer shotgun special open seasons

40(1) Unless authorized by the director, no person shall hunt antlerless mule deer by any means other than a bow and arrow, crossbow, muzzle-loading firearm or shotgun during the antlerless mule deer shotgun special open seasons established pursuant to this section.

(2) A person who is the holder of a First Saskatchewan Resident Special Antlerless Mule Deer Licence may hunt a total of two antlerless mule deer in Regina/Moose Jaw and Saskatoon Wildlife Management Zones, from November 1 to December 7.

(3) A person who is the holder of a Second Saskatchewan Resident Special Antlerless Mule Deer Licence may hunt a total of two antlerless mule deer in Regina/Moose Jaw and Saskatoon Wildlife Management Zones, from November 1 to December 7.

3 Apr 2009 cW-13.12 Reg 3 s40.

Antlerless mule deer rifle special open seasons

41(1) No person shall hunt mule deer by any means other than the means prescribed in *The Wildlife Regulations, 1981* during the antlerless mule deer rifle special open seasons established pursuant to this section.

(2) A person who is the holder of a First Saskatchewan Resident Special Antlerless Mule Deer Licence may hunt a total of two antlerless mule deer in Wildlife Management Zones 1 to 55 and 68 South, in Cypress Hills Inter-Provincial Park (West Block), in Saskatchewan Landing, Moose Mountain and Duck Mountain Provincial Parks, in that portion of Douglas Provincial Park lying west of Diefenbaker Lake (Gordon McKenzie Arm), in Fort a la Corne Wildlife Management Unit and in Bronson Forest Recreation Site, from November 1 to December 7.

(3) A person who is the holder of a Second Saskatchewan Resident Special Antlerless Mule Deer Licence may hunt a total of two antlerless mule deer in Wildlife Management Zones 1 to 55 and 68 South, in Cypress Hills Inter-Provincial Park (West Block), in Saskatchewan Landing, Moose Mountain and Duck Mountain Provincial Parks, in that portion of Douglas Provincial Park lying west of Diefenbaker Lake (Gordon McKenzie Arm), in Fort a la Corne Wildlife Management Unit and in Bronson Forest Recreation Site, from November 1 to December 7.

3 Apr 2009 cW-13.12 Reg 3 s41.

PART VII

Pronghorn Antelope Open Seasons

Pronghorn antelope archery special open seasons

42(1) Unless authorized by the director, no person shall hunt pronghorn antelope by any means other than a bow and arrow during the pronghorn antelope archery special open seasons established pursuant to this section.

(2) A person who is the holder of a Saskatchewan Resident Special Pronghorn Antelope Licence may hunt a total of one pronghorn antelope of either sex in Wildlife Management Zones 1 to 54 and in Regina/Moose Jaw and Saskatoon Wildlife Management Zones, from September 1 to October 31.

(3) A person who is the holder of a Saskatchewan Resident Special Pronghorn Antelope Licence may hunt a total of one pronghorn antelope of either sex in Cypress Hills Inter-Provincial Park (West Block), in Saskatchewan Landing, Moose Mountain and Duck Mountain Provincial Parks and in that portion of Douglas Provincial Park lying west of Diefenbaker Lake (Gordon McKenzie Arm), from September 10 to October 31.

(4) A person who is the holder of a Saskatchewan Resident Special Pronghorn Antelope Licence may hunt a total of one doe pronghorn antelope in Wildlife Management Zones 1 to 54 and in Regina/Moose Jaw and Saskatoon Wildlife Management Zones, from September 1 to October 31.

(5) A person who is the holder of a Saskatchewan Resident Special Pronghorn Antelope Licence may hunt a total of one doe pronghorn antelope in Cypress Hills Inter-Provincial Park (West Block), in Saskatchewan Landing, Moose Mountain and Duck Mountain Provincial Parks and in that portion of Douglas Provincial Park lying west of Diefenbaker Lake (Gordon McKenzie Arm), from September 10 to October 31.

3 Apr 2009 cW-13.12 Reg 3 s42.

Pronghorn antelope muzzle-loading firearm special open seasons

43(1) Unless authorized by the director, no person shall hunt pronghorn antelope by any means other than a bow and arrow, crossbow or muzzle-loading firearm during the pronghorn antelope muzzle-loading firearm special open seasons established pursuant to this section.

(2) A person who is the holder of a Saskatchewan Resident Special Pronghorn Antelope Licence may hunt a total of one pronghorn antelope of either sex in Wildlife Management Zones 1 to 54, in Cypress Hills Inter-Provincial Park (West Block), in Saskatchewan Landing, Moose Mountain and Duck Mountain Provincial Parks, in that portion of Douglas Provincial Park lying west of Diefenbaker Lake (Gordon McKenzie Arm) and in Regina/Moose Jaw and Saskatoon Wildlife Management Zones, from September 20 to October 31.

(3) A person who is the holder of a Saskatchewan Resident Special Pronghorn Antelope Licence may hunt a total of one doe pronghorn antelope in Wildlife Management Zones 1 to 54, in Cypress Hills Inter-Provincial Park (West Block), in Saskatchewan Landing, Moose Mountain and Duck Mountain Provincial Parks, in that portion of Douglas Provincial Park lying west of Diefenbaker Lake (Gordon McKenzie Arm) and in Regina/Moose Jaw and Saskatoon Wildlife Management Zones, from October 1 to October 31.

3 Apr 2009 cW-13.12 Reg 3 s43.

Pronghorn antelope rifle special open seasons

44(1) No person shall hunt pronghorn antelope by any means other than the means prescribed in *The Wildlife Regulations, 1981* during the pronghorn antelope rifle special open seasons established pursuant to this section.

(2) A person who is the holder of a Saskatchewan Resident Special Pronghorn Antelope Licence may hunt a total of one pronghorn antelope of either sex in Wildlife Management Zones 1 to 54, in Cypress Hills Inter-Provincial Park (West Block), in Saskatchewan Landing, Moose Mountain and Duck Mountain Provincial Parks and in that portion of Douglas Provincial Park lying west of Diefenbaker Lake (Gordon McKenzie Arm), from October 20 to November 14.

(3) A person who is the holder of a Saskatchewan Resident Special Pronghorn Antelope Licence may hunt a total of one doe pronghorn antelope in Wildlife Management Zones 1 to 54, in Cypress Hills Inter-Provincial Park (West Block), in Saskatchewan Landing, Moose Mountain and Duck Mountain Provincial Parks and in that portion of Douglas Provincial Park lying west of Diefenbaker Lake (Gordon McKenzie Arm), from October 25 to November 14.

3 Apr 2009 cW-13.12 Reg 3 s44.

Pronghorn antelope shotgun special open seasons

45(1) Unless authorized by the director, no person shall hunt pronghorn antelope by any means other than a bow and arrow, crossbow, muzzle-loading firearm or shotgun during the pronghorn antelope shotgun special open seasons established pursuant to this section.

(2) A person who is the holder of a Saskatchewan Resident Special Pronghorn Antelope Licence may hunt a total of one pronghorn antelope of either sex in Regina/Moose Jaw and Saskatoon Wildlife Management Zones, from October 20 to November 14.

(3) A person who is the holder of a Saskatchewan Resident Special Pronghorn Antelope Licence may hunt a total of one doe pronghorn antelope in Regina/Moose Jaw and Saskatoon Wildlife Management Zones, from October 25 to November 14.

3 Apr 2009 cW-13.12 Reg 3 s45.

PART VIII
Upland Game Bird Open Seasons

Sharp-tailed grouse

46(1) The open seasons for sharp-tailed grouse are the open seasons established pursuant to this section.

(2) A person who is the holder of a Saskatchewan Resident Game Bird Licence, a Canadian Resident Game Bird Licence or a Non-resident Game Bird Licence may hunt sharp-tailed grouse:

- (a) in the North Game Bird District, from September 15 to December 7;
- (b) in the South Game Bird District, from September 15 to November 14; and
- (c) in Last Mountain Lake National Wildlife Area, from September 20 to November 14.

3 Apr 2009 cW-13.12 Reg 3 s46.

Hungarian partridge

47(1) The open seasons for Hungarian partridge are the open seasons established pursuant to this section.

(2) A person who is the holder of a Saskatchewan Resident Game Bird Licence may hunt Hungarian partridge:

- (a) in the North Game Bird District and the South Game Bird District, from September 15 to December 31; and
- (b) in Last Mountain Lake National Wildlife Area, from September 20 to December 31.

(3) A person who is the holder of a Canadian Resident Game Bird Licence or a Non-resident Game Bird Licence may hunt Hungarian partridge:

- (a) in the North Game Bird District, from September 15 to December 7;
- (b) in the South Game Bird District, from September 15 to November 14; and
- (c) in Last Mountain Lake National Wildlife Area, from September 20 to November 14.

3 Apr 2009 cW-13.12 Reg 3 s47.

Ruffed grouse

48(1) The open seasons for ruffed grouse are the open seasons established pursuant to this section.

(2) A person who is the holder of a Saskatchewan Resident Game Bird Licence may hunt ruffed grouse:

- (a) in the North Game Bird District and the South Game Bird District, from September 15 to December 31; and
- (b) in Last Mountain Lake National Wildlife Area, from September 20 to December 31.

(3) A person who is the holder of a Canadian Resident Game Bird Licence or a Non-resident Game Bird Licence may hunt ruffed grouse:

- (a) in the North Game Bird District, from September 15 to December 7;
- (b) in the South Game Bird District, from September 15 to November 14; and
- (c) in Last Mountain Lake National Wildlife Area, from September 20 to November 14.

3 Apr 2009 cW-13.12 Reg 3 s48.

Spruce grouse

49(1) The open seasons for spruce grouse are the open seasons established pursuant to this section.

(2) A person who is the holder of a Saskatchewan Resident Game Bird Licence may hunt spruce grouse in the North Game Bird District, from September 15 to December 31.

(3) A person who is the holder of a Canadian Resident Game Bird Licence or a Non-resident Game Bird Licence may hunt spruce grouse in the North Game Bird District, from September 15 to December 7.

3 Apr 2009 cW-13.12 Reg 3 s49.

Pheasant

50(1) The open seasons for pheasant are the open seasons established pursuant to this section.

(2) A person who is the holder of a Saskatchewan Resident Game Bird Licence may hunt cock pheasants in the South Game Bird District, from October 1 to December 31.

3 Apr 2009 cW-13.12 Reg 3 s50.

Ptarmigan

51(1) The open seasons for ptarmigan are the open seasons established pursuant to this section.

(2) A person who is the holder of a Saskatchewan Resident Game Bird Licence may hunt ptarmigan in the North Game Bird District, from November 1 in each year to March 31 in the following year.

3 Apr 2009 cW-13.12 Reg 3 s51.

PART IX**Upland Game Bird Limits and Use of Raptors****Sharp-tailed grouse**

52(1) No person shall take or kill, in the open seasons established by these regulations, more than three sharp-tailed grouse in any day.

(2) No Saskatchewan resident shall, in the open seasons established by these regulations, have more than six sharp-tailed grouse in his or her possession at any one time.

(3) No Canadian resident or non-resident, in the open seasons established by these regulations, shall do either of the following:

- (a) take or kill more than six sharp-tailed grouse in any year;
- (b) have more than six sharp-tailed grouse in his or her possession at any one time.

3 Apr 2009 cW-13.12 Reg 3 s52.

Hungarian partridge

53(1) No person shall take or kill, in the open seasons established by these regulations, more than eight Hungarian partridge in any day.

(2) No Saskatchewan resident shall, in the open seasons established by these regulations, have more than 24 Hungarian partridge in his or her possession at any one time.

(3) No Canadian resident or non-resident, in the open seasons established by these regulations, shall do either of the following:

- (a) take or kill more than 24 Hungarian partridge in any year;
- (b) have more than 24 Hungarian partridge in his or her possession at any one time.

3 Apr 2009 cW-13.12 Reg 3 s53.

Pheasant

54 No person shall take or kill, in the open seasons established by these regulations, more than three cock pheasants in any day or have more than six cock pheasants in his or her possession at any one time.

3 Apr 2009 cW-13.12 Reg 3 s54.

Ruffed grouse

55 No person shall take or kill, in the open seasons established by these regulations, more than 10 ruffed grouse in any day or have more than 20 ruffed grouse in his or her possession at any one time.

3 Apr 2009 cW-13.12 Reg 3 s55.

Spruce grouse

56 No person shall take or kill, in the open seasons established by these regulations, more than 10 spruce grouse in any day or have more than 20 spruce grouse in his or her possession at any one time.

3 Apr 2009 cW-13.12 Reg 3 s56.

Ptarmigan

57 No person shall take or kill, in the open seasons established by these regulations, more than 10 ptarmigan in any day or have more than 20 ptarmigan in his or her possession at any one time.

3 Apr 2009 cW-13.12 Reg 3 s57.

Hunting game birds with raptors

58(1) Any person may hunt migratory game birds by the use of or with the aid of raptors in the North Game Bird District and the South Game Bird District during any open season for migratory game birds.

(2) Subject to subsection (3), but not withstanding any other provision of these regulations, a person may hunt upland game birds by the use of or with the aid of raptors only from August 15 in one year to February 28 in the following year.

(3) No person who hunts upland game birds by the use of or with the aid of raptors only shall:

(a) daily take or kill any upland game birds in excess of the maximum number of those birds that may be taken or killed daily pursuant to these regulations; or

(b) daily take or kill more than two upland game birds in any wildlife management zone during any time other than an open season for those birds in that zone.

3 Apr 2009 cW-13.12 Reg 3 s58.

PART X
Waterfowl Open Seasons

Ducks, coots and snipe open seasons

59(1) The open seasons for ducks, coots and snipe are the open seasons established pursuant to this section.

(2) A person who is the holder of a Saskatchewan Resident Game Bird Licence, a Canadian Resident Game Bird Licence or a Non-resident Game Bird Licence may hunt ducks, coots and snipe:

- (a) in the North Game Bird District and the South Game Bird District, from September 1 to December 16; and
- (b) in Last Mountain Lake National Wildlife Area, from September 20 to December 16.

3 Apr 2009 cW-13.12 Reg 3 s59.

Sandhill cranes open seasons

60(1) The open seasons for sandhill cranes are the open seasons established pursuant to this section.

(2) A person who is the holder of a Saskatchewan Resident Game Bird Licence, a Canadian Resident Game Bird Licence or a Non-resident Game Bird Licence may hunt sandhill cranes in the North Game Bird District and the South Game Bird District, from September 1 to December 16.

3 Apr 2009 cW-13.12 Reg 3 s60.

Canada geese open seasons

61(1) The open seasons for Canada geese are the open seasons established pursuant to this section.

(2) A person who is the holder of a Saskatchewan Resident Game Bird Licence or a Canadian Resident Game Bird Licence may hunt Canada geese:

- (a) in the North Game Bird District and the South Game Bird District, from September 1 to December 16; and
 - (b) in Last Mountain Lake National Wildlife Area, from September 20 to December 16.
- (3) A person who is the holder of a Non-resident Game Bird Licence may hunt Canada geese:
- (a) in the North Game Bird District and the South Game Bird District, from September 10 to December 16; and
 - (b) in Last Mountain Lake National Wildlife Area, from September 20 to December 16.

3 Apr 2009 cW-13.12 Reg 3 s61.

White-fronted geese open seasons

62(1) The open seasons for white-fronted geese are the open seasons established pursuant to this section.

(2) A person who is the holder of a Saskatchewan Resident Game Bird Licence, a Canadian Resident Game Bird Licence or a Non-resident Game Bird Licence may hunt white-fronted geese:

- (a) in the North Game Bird District, from September 1 to December 16;
- (b) in the South Game Bird District, from September 10 to December 16; and
- (c) in Last Mountain Lake National Wildlife Area, from September 20 to December 16.

3 Apr 2009 cW-13.12 Reg 3 s62.

White geese open seasons

63(1) The open seasons for white geese are the open seasons established pursuant to this section.

(2) A person who is the holder of a Saskatchewan Resident Game Bird Licence, a Canadian Resident Game Bird Licence or a Non-resident Game Bird Licence may hunt white geese:

- (a) in the North Game Bird District and the South Game Bird District, from September 1 to December 16; and
- (b) in Last Mountain Lake National Wildlife Area, from September 20 to December 16.

3 Apr 2009 cW-13.12 Reg 3 s63.

PART XI**Repeal and Coming into Force****R.R.S. cW-13.12 Reg 1 repealed**

64 *The Open Seasons Game Regulations, 2004* are repealed.

3 Apr 2009 cW-13.12 Reg 3 s64.

Coming into force

65(1) Subject to subsection (2), these regulations come into force on April 1, 2009.

(2) If these regulations are filed with the Registrar of Regulations after April 1, 2009, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

3 Apr 2009 cW-13.12 Reg 3 s65.

